RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

THROWING OPEN OF ROADS, TANKS AND SATRAMS TO ALL CLASSES OF PEOPLE.—*(contd.)*

PRESIDENT : The House will now resume the discussion on Resolution No. 4.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, last evening I was attempting to draw the attention of the House to the exact scope and the real implication of the resolution before the House, which was a claim of principle, that if Government funds are utilised for any thing or institution, that thing or institution must for that reason be open to every member of the public. Perhaps I may draw the attention of the House to a corollary also of this implication *viz.*, that if any Government funds are *not* utilised for any thing or institution, that thing or institution, though public or quasi public, need not be open for the use of every member or class of the public. In other words, Mr. Asan's resolution and the recommendation therein can be satisfied by saying that Government funds will be withdrawn from the maintenance of that thing or institution, which is reserved for any body of people even on the ground of caste. And yet that thing or institution, in respect of which Government maintenance may be and has been withdrawn may be necessary for public convenience and public amenities.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know from the learned Law Member whether if there is a particular road or institution maintained for a particular class of people, the Government should not see that that particular institution or road is maintained by that particular class for whose use alone it is reserved ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not think, Sir, that, as a matter of general proposition, that can be accepted. It may be that Government may have to spend funds even for the benefit of a special class or body or description of men. To make use again of an analogy, which should not be pressed very far. Suppose I fall ill. In my individual capacity I go to the hospital and seek treatment. Even though public funds are spent therefor, I am attended to in my individual capacity and no class of people who are not ill will be attended to.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*) : Suppose you are not treated because you belong to a particular community ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; That is a different matter. What I am pointing out is, that because public funds are utilised, it does not necessarily follow that every member of the public should have the benefit of that.

MR. A. THANU PILLAI (*Trivandrum*) : Is any member of the public deprived of the hospital ?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, if he is not ill. The analogy cannot of course be pressed very far. I am referring to this example to show that if public funds are utilised for any person even a single individual it does not necessarily mean a wrong thing.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): Is the hospital not open to all people who seek treatment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is so. What I am saying is that because public funds are utilised for anything, it does not necessarily mean that every member should have occasion or right to use it.

MR. A. THANU PILLAI (*Trivandrum*): May I ask the learned Law Member whether there is anything in the resolution suggesting that the roads, etc., should be used by every member of the public?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it appears so from the terms of the resolution. The mover was not kind enough to elucidate what else was meant.

MR. A. THANU PILLAI (*Trivandrum*): There is nothing like that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I suppose "all classes" means every member of the public though of different communities.

MR. MATTHEW MURIKKAN (*Vaikam*): May I know from the learned Law Member whether it is because a particular individual belongs to a particular community or caste or creed, that he is refused admission to the hospital?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, not at all. I was only illustrating by analogy that what is maintained by the public funds need not be open to every body.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know from the learned Law Member whether, since public funds are utilised for the Lunatic Asylum, all people *should* have occasion to use it? (*Laughter.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Certainly not. I must thank Mr. Piraviperumal Pillai for drawing attention to my point by citing another which will again illustrate to the House that because public funds are utilised for an institution, that institution need not for that reason be one which every body should have occasion to use.

MR. MATTHEW MURIKKAN (*Vaikam*): Does my friend mean that every man requiring its use should be prevented from using it? All people may not have the necessity to go to the Asylum.

MR. A. S. DAMODARAN ASAN (*Mavelikara cum Kartikapalli*): If any public institution is required for public convenience and public amenities we must open it for the use of every member of the public.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. Quite so. I can very well understand that position and it is to this end that I have been driving all this while. What I object to is the general proposition that because a particular road is maintained out of public funds, it should for that reason be open to every member of the public. If you say that here is a public road required for public convenience and it is closed to some castes Government will certainly take up the matter urgently.

When I was citing the case of the Girls' school compound and the roads in the Tulasi Hill Bungalow, somebody pulled me up suggesting that it was open to every caste though not to every member of every caste. I was thinking of this, this morning, when I was coming to this House and another example struck me which illustrates the position. Look at those sheds there (pointing to the sheds erected for the convenience of the members). They are all put up out of public funds. One shed alone is open to every member without distinction of caste, namely, the retiring room. But there are the other sheds, the tiffin sheds one for the Nayar, another for the Christian, another for the Mahomedan and so on.

MR. A. THANU PILLAI (*Trivandrum*): Do you protest against that?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I say that *every* member is not allowed admission to every one of those sheds although they are all put up out of public funds and that that distinction is made because of caste. Christians have no right to enter the shed erected for the use of Brahmins and the Nayars cannot enter sheds put up for the Christians and so on. And yet who protests against that?

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the learned Law Member whether all the Council Members belong to a particular community?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They do not. That is what I have been saying. Public funds are spent for a purpose reserved to one caste alone.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the learned Law Member whether all these sheds were put up at the request of the members?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That does not arise. The point is that although every one of these sheds has been put up with public funds, every member of every community has not got admission into all the sheds.

Mr. Kesava Pillai asked me whether all these sheds were put up at the request of the members. If on the ground that the Government will have to erect several sheds one for each caste they said that they will not put up any sheds at all, it will result in inconvenience to all the members and that will not be a reasonable attitude for the Government

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to take. It has been taken for granted that separate sheds are required for separate communities and at the expense of general funds. Why this is not protested against is because the convenience of all communities is attended to and it is necessary to have separate sheds for the convenience of the members as it is understood here.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know from the learned Law Member, whether a cosmopolitan shed will not satisfy many of the members?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not aware of that. I am aware of the contrary.

My point is this. Government cannot say that they will not put up separate sheds on the ground that public funds cannot be utilised for the benefit of separate communities.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In that case, will the Dewan's room in the Public Offices be open to all people to go and sit there at all times?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No. That is like the example of the Girls' school compound roads.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know from the learned Law Member whether the resolution implies such things as I just now pointed out?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not know. Mr. Asan was not kind enough to explain and I can only speak with reference to what the words of the resolution import.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does it apply to the tanks inside Bhaktivilas?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The resolution as it stands would apply.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Does it apply to institutions maintained by the Devaswom and Palace Funds?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Asan said he excluded such things from the purview of his resolution.

MR. D. C. JOSEPH (*Agastisvaram*): Does it include the roads within the Palace premises?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The resolution does not in terms exclude that. But Mr. Asan clearly said he excluded such roads.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the learned Law Member whether any particular class of people are prevented from using the road in the Tulasi Hill Bungalow?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I referred to them only as an analogy. If Mr. Joseph wants an analogy more appropriate for the purpose of demonstrating my point look at the sheds there, and you will find the example.

MR. MATTHEW MURIKKAN (*Vaikam*): The analogy will lose itself when we consider the whole as one shed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As a matter of fact, in whatever way you look at it no member of one community can gain admission to a shed put up for another community and yet who protests against that and says that public funds should not be spent for such things ?

MR. N. R. KRISHNAN (*Nominated*) : സത്രങ്ങളിൽ പ്രത്യേകം കിച്ച ൻ ഉണ്ടായിരുന്നാൽ എല്ലാ ജാതിക്കാക്കും പ്രവേശിക്കാമൊ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതിനെപ്പറ്റി പിന്നീടു പറയാം.

I am speaking of the roads now. If the criterion which Mr. Asan proposes in the resolution and the principle which he wants to enunciate is that if a particular road is maintained out of public funds, it should for that reason be necessarily open to all classes of the public, that cannot be accepted, on the other hand if Mr. Damodaran Asan's position is that any public road or any road which would serve public convenience should be opened, that will receive due attention. I would request Mr. Damodaran Asan to bring to the notice of this House or the Government the case of such roads and if such roads are found to be really necessary for public convenience, the question will be considered. Last evening some member called my attention to the fact that the Vaikam roads have been thrown open to all classes of people. That is a telling example of what Government will do when they are satisfied of the necessity of opening a road

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) May I know from the learned Law Member whether these roads were opened soon after the agitation or after long and protracted delay ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When the Government were convinced that there was necessity for opening the roads, they did open them.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): May I know whether those roads were King's highways or *gramaveethies* ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the file with me now. Perhaps they were *Gramaveethies*.

Take again another case namely, that of the Karkad road which was claimed by the villagers for their exclusive benefit. It was brought to the notice of this House that the neighbouring people suffered inconvenience by reason of the road being kept closed, as it were, to all communities. Government could not go against, or, say, it was not

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necessary to go against, the claims made by the villagers and therefore another road was opened for the purpose of the people in general although the old road still remains closed. The point is that the public convenience was attended to. These will be telling examples to show that when Government are convinced of the necessity for opening a road on the ground of public convenience they will certainly take action.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know at whose expense the new road was opened?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): At the expense of the Government.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the learned Law Member whether the villagers were the better or the worse for the objections?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a matter of opinion. It may be for the better or for the worse. My point is only that when it was found that the public suffered inconvenience on account of a road being closed, a road to serve the public was provided. I refer to these two instances to show that Government are not forgetful of the conveniences which the public require. My objection is only to the contention that if Government funds are utilised for any road, or tank that should necessarily be thrown open to all communities. On the other hand if any roads, any public roads, are specially brought to the notice of the House either by Mr. Asan or by anybody else, they will be considered on their own merits and, if necessary, Government will do everything that is in their power to serve public convenience and public interest.

I think the question of the roads must be dealt with differently from tanks and *satroms*. As I stated yesterday, the public roads in the State may be classified into two. They may be king's highways which I shall call roads with unrestricted rights or *Gramaveethies* which may be called restricted roads. In regard to the restricted roads, Civil Courts recognise that certain classes of people have got exclusive rights. There must be sufficient and imperative reasons for interfering with the rights of any body of people establishable in Civil Courts. It will be very bad policy if the Government go into conflict with the Judiciary. I daresay that this House will not ask the Government to do that.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know from the learned Law Member, whether in these days the Judiciary does not rule out certain existing customs of the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Possibly. The reports of the leading Law cases are open to my friend.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether if the Legislature records an opinion that certain customs ought to be changed according to the needs of the times the Judiciary is not bound to respect that opinion?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not think, Sir, that the opinion of the Legislative Council will be taken as evidence by the Judiciary. If Mr. Nilakanta Pillai is so confident that the customs are out of date, perverse or outrageous, it is certainly open to him to fight it out in Civil Courts and contend that as they are out of date they must be changed or ignored. Nobody has any the least objection to that.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : Was it after the decision of the Civil Courts that the Vaikam roads were thrown open ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have not got the necessary files with me now to answer that question. What I am saying is that the Government should not go into conflict with the Judiciary.

MR. A. THANU PILLAI (*Trivandrum*) ; May I know whether that is a matter purely for the Judiciary and not the Legislature?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In regard to the opening of the restricted roads it appears to be the province of the Judiciary primarily. At any rate the Judiciary have declared some roads to be restricted roads *i. e., Gramaveethies.*

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : If the Judiciary says that the customs are out of date, cannot the Legislature or the Government interfere in the matter and rule out such customs ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I know that the Legislature can, but I am doubtful of the power of Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is it not the duty of the Government to help the Judiciary in rooting out evil customs ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not understand the question at all. Government do not interfere with the Judiciary. The Judiciary acts on its own canons of work. The Government, which is the executive Government, will carry out the laws of the land and the decisions of the Judiciary.

Then in regard to the king's highways, they are even now open to all classes of people. With regard to *Gramaveethies* there may be some difficulties. Government may be able to overcome these difficulties by the means available to them if a proper case is made out for such action. But the resolution as it stands is a comprehensive one and cannot be accepted as a matter of general proposition. If any roads considered to be necessary for the public are specified Government will interfere and try their best to set things right as far as possible. If Mr. Asan will accept this assurance from me, he may withdraw this resolution seeing particularly the example of the Vaikam and Karkad roads and bring in an amended resolution specifying the roads which are still considered to be closed to certain communities. If such roads are brought to the notice of Government they will be

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examined on their own merits and if they are found necessary for public convenience or public amenities, Government will do the needful. But, Sir, the general proposition moved by Mr. Asan cannot I submit, be accepted.

Coming to tanks and *satroms* I am on more definite ground. In regard to roads it was all indefinite, in a nebulous condition. Roads exist everywhere throughout Travancore. But the question of tanks and *satroms* can be dealt with greater definiteness. The question of tanks has already been brought to the notice of the Government by means of a resolution in this House. Thereupon an investigation was made and the matter is now under the immediate consideration of the Government.

MR. D. C. JOSEPH (*Agastisvaram*): May I know from the learned Law Member whether the Government have got a list of tanks which are closed to certain classes of people?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government have got all the necessary information and they will all be considered and final orders will be passed soon. I can now say this much only, that the inclination of Government, not the decision yet, is that all public tanks, excluding tanks attached to Devaswoms and Palaces which will have to remain closed, may be made open for the use of all the people. Of course, it has to receive full consideration.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Should not the tanks attached to Devaswoms be maintained out of Devaswom funds?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If that is what Mr. Asan suggests that also will be considered. If he suggests that such tanks which are closed by reason of being attached to Devaswoms should be maintained out of Devaswom funds that may no doubt have to be considered.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the resolution includes Devaswom tanks or tanks attached to Palaces?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have accepted the assurance of Mr. Asan that he has not included such tanks in his resolution.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefore, may I know whether there is any use of speaking about these tanks?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. Government have to consider in the case of each tank what the nature of the tank is.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I said tanks maintained out of Devaswom funds, with reference to a question of the learned Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Mr. Asan meant to say, I believe, all tanks appurtenant to Devaswoms. Otherwise there would be a point of order to be raised. These tanks as I said were the subject of a resolution sometime ago and

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an investigation has been made. Government have got a list of those tanks. They have not yet passed final orders. The investigation is almost complete and orders will immediately issue in the matter.

Coming to *satroms*, I am on a still firmer ground than in the case of tanks, because *satroms* are institutions which are Government property and not merely things which they maintain. In regard to these also, representations have been made in the Sri Mulam Popular Assembly and the matter has also been brought to the notice of the Government, I think, by means of a resolution. An investigation has been made, a list of the *satroms* has been prepared and their localities, &c., have all been ascertained. Wherever *satroms* can be made open to all classes of people, they would be made open. But of course *satroms* which are attached to temples and Palaces cannot be made open to all classes of people. And in respect of these, if Mr. Asan's suggestion is that Devaswom or Palace funds should be utilised, for their maintenance that also will be considered. But what is important is this, if there is a *satrom* which is attached to a temple or Palace that cannot be made open to all classes of people.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*) : റയിൽ വെസ്രം എല്ലാവർക്കും ഉപയോഗിക്കാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Railway *Satrom* is not a *Government Satrom*.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*) : അത് പബ്ലിക്ക് ഫണ്ട് കൊണ്ട് ഉണ്ടാക്കിയതല്ലയൊ ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : അതു കൊട്ടാരത്തിലെ പ്രത്യേക പണം കൊണ്ട് ഉണ്ടാക്കീട്ടുള്ളതാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If the mover's point is that all such *satroms* as are not open to everybody must be closed altogether that may no doubt be done. But will it serve public convenience ? Some people at least can make use of them now. Why should the House prevent those people from making use of these *satroms* ? If it is a matter of closing the *satroms* rather than spend money on them that is possible.

PRESIDENT : He does not say that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, the difficulty is that I have to make all such surmises and reply in the absence of any speech from the mover.

MR. A. THANU PILLAI (*Trivandrum*) : Are there *Satroms* attached to temples other than those maintained out of public funds?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There are some *satroms* attached to temples which are maintained by Land Revenue funds or Maramath funds. The whole matter has been investigated and the matter is now under the immediate consideration of Government and orders will issue at once.

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : What about the *satrom* at the Cape which is closed to some communities?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is close to the temple perhaps. I cannot speak definitely about it. But that also will receive attention.

MR. A. THANU PILLAI (*Trivandrum*) : May I know the nature of the attachment of the *Satroms* to the temples?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That will depend upon each *satrom*. They may be physically attached to the temples or may be in close proximity to the temples.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : May I know whether some *satroms* are not open exclusively to the Hindu pilgrims?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Probably it is so, the investigation on this subject is over and I believe that some *satroms* are found to be used exclusively by Hindu pilgrims.

MR. D. C. JOSEPH (*Agastisvaram*) : What is the use of the *Satrom* attached to the temple being exclusively set apart for the use of pilgrims of certain communities?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Which *Satrom*?

MR. D. C. JOSEPH (*Agastisvaram*) : The *Satrom* at Kuzhitturai for example?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I cannot speak of individual *satroms* just now. The investigation in regard to all *satroms* is however all complete.

MR. D. C. JOSEPH (*Agastisvaram*) : Is the *satrom* at the Cape attached to the temple?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is perhapse in close proximity to the temple.

MR. D. C. JOSEPH (*Agastisvaram*) : Is the Suchindram *Satrom* attached to the temple?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I cannot say. All that is being considered by the Government just now.

MR. A. THANU PILLAI (*Trivandrum*) : What is the policy of the Government in regard to *Satroms* near palaces?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That will depend upon each case. I believe some of them are attached to palace precincts. The idea of the Government is that, if it is found on investigation that any of these *satroms* can be made open to all classes of the people without any objection, they will be made open. But I must say for the information of the House as well as of Mr. Asan particularly, that this matter requires thorough consideration. Each *satrom* has to be considered on its merits.

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MR. D. C. JOSEPH (*Agastisvaram*): May I know whether Devaswom *satroms* can be put up on lands other than Devaswom lands?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a hypothetical question. If necessary, I can answer the question off hand; for example, a Devaswom can purchase lands and build *satroms* upon them.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): May I know whether in the case of *satroms* which are intended for the use of the pilgrims and which are attached to temples, all classes of pilgrims are admitted?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot answer the details of individual *satroms* and the House will not expect me to do so as the whole matter is yet under consideration.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): ക്ഷേത്രങ്ങളെ കൂടുള്ള സത്രങ്ങളിൽ ഈഴവർ തുടങ്ങിയായാൽ കയറാമെന്ന് അറിയാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): അതു് എനിക്കു അറിയാൻ പാടില്ല.

In regard to roads, I have already suggested that Mr. Asan may bring to the notice of the Government the case of specific roads as in the case of Vaikam roads. I hope on this assurance, *viz.*, that tanks and *satroms* are immediately being considered by Government and that if the case of any *particular road* is brought forward, Government will consider it, the member will find his way to withdraw his resolution.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): A similar resolution in the same form was tabled on the floor of the House during the last Council and most of the members who spoke on the last occasion—

MR. V. J. COMMEN (*Commerce and Industry, North*): Is the member opposing or supporting the resolution?

PRESIDENT: I have very often found that when a member rises, the other members are very impatient and begin interrupting him even from the very outset. I should say that the members should be more patient. Please go on, Mr. Piraviperumal Pillai.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): As I said, this resolution is not in its present form a new one. During the last Council, one member brought forward a resolution in the same form and the members considered that the resolution in the form in which it was placed before the House was not acceptable and it was then passed in an amended form as the Law Member referred to.

Sir, this resolution is a very comprehensive one and includes all tanks which are maintained out of public funds. Even when recommendations made by this Council which can be acted upon, are found not to have been acted upon by the Government so far, I do not think

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[Mr. S. Piraviperumal Pillai.]

that we will be justified in passing this resolution, which we ourselves know cannot be acted upon. One eminent member of the Council, now an eminent Judge of the High Court, was also of the opinion that the resolution as was then moved was not in proper form. I may read out to the Council what the member then said :

"There is another difficulty in the resolution being accepted as it stands. Suppose in a Government property there is a Government tank and Government sells the property with the building and appurtenances or gives it for the residence of a particular individual as in the case of European officials in the State".

There is also another instance quoted by the member.

"Further the resolution has also another defect. Suppose there is a public tank constructed originally by Government and repaired by Government. So long as it exists, a stage may be reached in the history of such a tank when it would cease to be useful to the general public".

Further.

"There may be several tanks also constructed for the use of Palaces, for the convenience of members of the Royal family. These are all in one sense, Government tanks, constructed and repaired by Government, ear-marked already for certain specific purposes, and I think that these tanks will not be opened to the use of all the people".

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ; Has the member read the resolution on which those speeches were made ?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : And does he think that that resolution and my resolution are indentical ?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Yes, they are indentical. This resolution refers to tanks maintained with public funds. In the other resolution it was 'all canals and tanks, *constructed or repaired* at Government cost.' For the word 'constructed or repaired' the member has used the words "maintained with public funds." That is all the difference.

If this resolution is accepted by the Government, it imposes an obligation on them to throw open all these tanks. That, I submit, Sir, will not be the intention of the mover. Again, Sir, if I follow Mr. Mathew Murikkan in his speech when Mr. N. R. Krishnan introduced his Compensation for Tenants' Improvements Bill, he quoted Professor Salmond and said that we have got to respect customs and usages. We have to do the same thing here also. Certain tanks have, by custom and usage, been set apart for the use of certain sections of the community. Are we now justified, Sir, all on a sudden, in making a recommendation to throw open these tanks to all classes of the people ?

MR. A. THANU PILLAI (*Trivandrum*) : Can we do it gradually ?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Oh yes, we can do it gradually. But the time is not come just now. Are we justified in asking the Government to throw open these tanks to all classes of the people ? This will only increase communal bitterness and injure religious sentiment. As Mr. Thanu Pillai rightly pointed

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out, we have to do it gradually. This is a thing which cannot be done in a day or two. It is only by educating the people that we can achieve our object.

What I have to submit is that we have to respect the customs and sentiments of the minorities. If we have got to do that, then I think that this is not the time for us to press the Government to throw open all these tanks maintained out of public funds. In view of the explanation offered by the Law Member, I trust that Mr. Damodaran Asan will withdraw his resolution.

MR. MATTHEW MURIKKAN (*Vaikam*) : I rise to support the resolution moved by my friend Mr. Damodaran Asan. After hearing the observations of the learned Law Member, I think that the view taken by him is not one which is sympathetic towards the spirit of the resolution. The Law Member very comprehensively and ably contended that the acceptance of the resolution under discussion is beset with serious difficulties.

I would first deal with the primary objections raised by the Law Member. The resolution as it stands, reads 'this Council recommends to the Government that all roads, tanks and *satroms* maintained with public funds should be thrown open to all classes of the people without distinction of caste or creed.' To my mind the words 'classes' and 'distinctions' seem to be important in this resolution. With regard to the technical difficulty that the Law Member first raised, *viz.*, that we cannot deal with the problems connected with Palaces and temples, it is clear we cannot do so ; we are bound down by the rules. I am sure my friend Mr. Damodaran Asan when he tabled this resolution did not contemplate the inclusion of these institutions maintained out of public funds, as it will be *ultra vires* on the part of this Council to deal with such questions.

Then comes the difficulty with regard to *Gramaveethies* and *Rajapathas*. The learned Law Member said that there is no difficulty with regard to the *Rajapathas*. We are consoled to see that he was prepared to concede at least so much. With regard to *Gramaveethies* I cannot understand what the member means by *Gramavecthies* so far as Travancore is concerned. The Law Member said that the civil courts have framed certain rules restricting the use of some of these institutions. I will argue that our Government are also subject to the rulings of the judiciary. The rulings of the civil courts should be acted upon by the Government. This Council also does not want Government to go against the rulings of the judiciary. I am sure Mr. Damodaran Asan never contemplated that the recommendation of this Council should be acted upon by the Government quite contrary to the decisions of the High Court. The objection of the Law Member cannot therefore hold water.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Am I to understand that the case of the *Gramaveethies* is not within the scope of the resolution ?

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MR. MATTHEW MURIKKAN (*Vaikam*) : The question of roads is within the scope of the resolution. The Law Member drew a distinction between *Rajapatha* and *Gramaveethi*. There is no difficulty with regard to the *Rajapathu*. But the Law member said that the use of *Gramaveethies* is restricted by certain rules of the civil courts.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Rulings.

MR. MATTHEW MURIKKAN (*Vaikam*) : Now our Government are also subject to the rulings of the judiciary. What I therefore want to impress upon the House is that Mr. Asan also does not want to make this recommendation to the Government and make them act against the rulings of the judiciary.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is why I asked the question whether the case of *Gramaveethies* was outside the scope of the resolution.

MR. MATTHEW MURIKKAN (*Vaikam*) : That is an imaginary question. I am concerned only with the resolution as it is.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Does the member say that *Gramaveethies* are outside the scope of the resolution ?

MR. MATTHEW MURIKKAN (*Vaikam*) : As far as I understand Mr. Damodaran Asan includes *Gramaveethies* also.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Then how can the Government act without going against the rulings of civil courts ?

MR. MATTHEW MURIKKAN (*Vaikam*) : This Council is competent to recommend to the Government that the Government also must do something in the matter. This resolution does not mean that the Government should go against the rulings of the civil courts but it is time for the Government to move in the matter. We are assembled here just to bring home to the mind of the Government that it is time for the Government to revise such rules, customs and canons.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In what way does the member suggest that the Government should act in this matter ?

MR. MATTHEW MURIKKAN (*Vaikam*) : Government may introduce a Bill in this Council and I am sure the rulings of the civil courts will be considered along with that.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Does the member say that custom should not be respected ?

MR. MATTHEW MURIKKAN (*Vaikam*) : By way of personal explanation, I may here add, that my friend Mr. K. P. Nilakanta Pillai said that when I discussed the Tenants' Improvements Bill, I referred to Professor Salmond. Professor Salmond did not say that all customs should always be respected. He said that custom should be respected as far as we could respect it. That was all.

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Therefore I would suggest that if the Government would find it difficult to move in the matter because of the rulings of the civil courts, it is time to have a Bill got ready and introduced in this House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Would the member advocate a Bill even if it goes against the established or establishable private rights?

MR. MATTHEW MURIKKAN (*Vaikam*): This is a hypothetical question. That does not help me or my friend or this House in discussing this matter. Ever so many questions may be asked and I am sure I will only be wasting my time.

The Law Member observed that simply because these roads are maintained with public funds every member of the community should not seek to use these roads. The resolution as it stands does not mean that every member of the community should use these roads. It only says that no member of the community should be disqualified in using them simply because he belongs to a particular community. That is the gist of the whole resolution and not that every vagabond should go to the Girls' School and every loafer should walk through the roads in the Tulasi Hill bungalow. That is not the question in dispute. When this Council is assembled in this Hall, there is a restriction that all men who seek admission must have tickets. Similarly a public road under repair is blocked for traffic even though the road is public. The Travellers' Bungalow can be reserved by certain persons for their exclusive use even though the building itself is maintained with public funds. All these things must have been taken into consideration by my friend Mr. Damodaran Asan when he tabled his resolution and nobody can say that he did not take them into consideration. So, the analogy of the Law Member is not at all tenable.

I think I have made myself sufficiently clear. If the rulings of civil courts are contrary to our aspirations, it is time for the Government to introduce a Bill. If tanks attached to temples and palaces cannot come under the resolution, we, as practical men, do not want them. To my mind there is nothing in the resolution which is beyond practical politics. We ourselves believe that we are practical men and we ask the Government to do nothing which is not practicable. That is the spirit of the resolution.

I would add one or two words more. I think that these restrictions as regards these roads, tanks and *satroms* are likely to create differences of opinion among the various sections of the communities in the State. There are Rules and Regulations promulgated by our State to see that nothing takes place in the State which is calculated to promote enmity between the various classes. My opinion is that the preservation of these invidious distinctions is likely to create enmity among the various classes. We are interested in the welfare of the country and therefore we are bound to see that there is amity between the various classes and sections of the people in the State. I therefore appeal to the House that it is high time for us to consider these matters. It is in that direction that this resolution has to be approached and considered

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and not in any alien spirit. We are here assembled to discuss matters for the general welfare and interest of all persons. What I cannot understand is that the recommendation made in this resolution is not taken by the Government as a legitimate aspiration of the people but as something pernicious.

Again, Sir, in every progressive administration, it is highly necessary to see that a certain section of the community does not enjoy any particular privileges. Arguing from that point, as long as we preserve these distinctions and adhere to the old beaten tracks, we will be far from prosperity and progress. In these days when every one of us has to work for progress, for uplift and for prosperity, we are bound to make these proposals for the consideration of the House. The members on the non-official side of the House are not against the Government. They are here only to inform the Government the matters necessary for the welfare of the people. With these words I support the resolution introduced by Mr. Damodaran Asan.

MR. K. MADHAVAN (*Nominated*): സർ, മിസ്റ്റർ ആസാന്റെ റെസലൂഷനെ താനും പിന്താങ്ങിച് സൊല്ലുകിറേൻ. നേറ്റു സായങ്കാലം വരെയിൽ താനും എവ്വരോ നേരം ഇവ്വിടത്തിൽ നടന്തുക്കൊണ്ടിരുന്ത റെസലൂഷനിൻ ഓവ്വൊരു പാകത്തയുംകൺരുയ് ആരായ്ന്തുകൊണ്ടിരുന്തേൻ. സർ, ഗ്രാമപാതയോ, ഇരാജപാതയോ, എപ്പാതയിലും എന്ത വകുപ്പാരും നടക്കലാമ് എന്റു കൊണ്ടുവന്ത റെസലൂഷനൈപ്പേചിയതിൽ, சட்டமெம்பர், மி. பிஷப் பங்களா பாതൈയയും, പെൺ പള്ളിക്കൂടത്തിറ്കുപ് പോകിറപാതയെയും കുറിപ്പിട്ടുപ് പേചിനീർകൾ. മേറ്റ് കൂറിയതൈകളൈ വൈത്തുക്കൊണ്ടു ഇന്ത റെസലൂഷനൈ എതിർത്തുപ്പേചിനീർകൾ. കമിഷണർ പങ്കളാ പാതൈയിൽ കമിഷണരാക ഒരു താഴ്ത്തപ്പട്ടവൻ ഇരുന്താൽ പോകക്കൂടാതാ? പെൺ പള്ളിക്കൂടത്തിൽ ഒരു താഴ്ത്തപ്പട്ട ഒരു സ്തിരീ ഉപാത്തിയായിനിയാകയിരുന്താൽ അപ്പാതൈയിൽ പോകമുടിയാതാ? சட்டமெம்பர் கூறியதிலிருந்து போகமுடியாதென்று തെരികിറതു. ഇന്നുമ് സുചിന്തിരം കോയിൽ സ്വാമിയൈ ഒരു താഴ്ത്തപ്പട്ടവരിന്ത തരിചിക്കവേണ്ടുമോ൯ൽ, അവനുക്കു കോയിൽ വാതലുക്കുപ് പോയോ, അല്ലതു തെരുവിലിരുന്തോ, തരിചനം ചെയ്യമുടിയുമാ? അവൻ തെരുക്കോടിയിലിരുന്തോ, തൊലൈയിലിരുന്തോ തരിചിക്കവേണ്ടിയിരുക്കിറതേ. സർ, ഇന്ത രാജ്യത്തിൽ എട്ടു ലക്ഷം താഴ്ത്തപ്പട്ടവർകൾ ഇരുക്കിറ്കൾ. ഇവർകളൈ, അരചാങ്കത്താൽ പരിപാലിക്കപ്പടുമ് റോടുകളിൽ നടക്കക്കൂടാതെന്റു സൊല്വതു മിക്ക പരിതാപമ്. മറുങ്കൂരിൽ സുപ്രമണിയസ്വാമികോയിലുണ്ടു. അന്തക്കോയിൽ മലൈയിൻ ഉച്ചിയിൽ ഉളതു. താഴ്ത്തപ്പട്ടവർകൾ അല്ലാതമറ്റവർകൾ മലൈയിൽ ഏറി സ്വാമിയൈത്തരിചിക്കലാമ്. താഴ്ത്തപ്പട്ട ഹിന്തുക്കൾ അവ്വിടത്തു സ്വാമിയൈ തരിചിക്കവേണ്ടുമാനാൽ അമ്മലൈയൈച്സുറ്റി സുറ്റിപ്പോയ്കുവാമിയൈ തരിചിത്തതാക നിനൈത്തുപ്പോകിറ്കൾ. വെകുതൂരത്തിലിരുന്തു തരിചനം ചെയ്യവേണ്ടിയതു. മറ്റ ഹിന്തുക്കൾ പോകുമ്പടിയാന പാതൈ വഴിയാകവോ അല്ലതു ഇടത്തിറ്കോ പോകക്കൂടാതു. ഇന്ത നിലൈമൈ നിയായമാകത്തോന്റവില്ലൈ. നന്തനിൻ വമ്ചത്തിൽ പിറന്തവൻ അന്ത സ്തലത്തിറ്കുച്

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செல்லக்கூடாது. அவனும் தொலை விலிருந்துதான் தரிசிக்கவேண்டும். மி. டி. ஸி. ஜோஸப் சொன்ன மயிலாடி பாதைவழியாக தாழ்த்தப்பட்டவர்களாகிய இவர்கள் போகக்கூடாது. நடந்துபோகலாம். வண்டியில் போகக்கூடாது. பிரேதம் கொண்டுபோகக்கூடாது. கலியாணக்கோலம் போகக்கூடாது.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): நந்தனார் அந்த வழியில்கூட போகாவிட்டாலும் அவருக்கு மோக்ஷம் கிடைக்கவில்லையா?

MR. K. MADHAVAN (*Nominated*): இப்படிப்பட்ட அக்கிரமமான பிரவர்த்திகள், ஜனங்கள் நடுவில்நடக்கிறது. இப்படிப்பட்ட அக்கிரமத்தில் கவர்மெண்டு தலையிட்டு தடுக்கவேண்டியதும், நியாயம் செய்யவேண்டியதும் கடமையல்லவா? ஆசாரிகுளத்திலும் இவ்விதமாக அக்கிரமம் செய்து ஜனங்களை புத்திமுட்டுக்குள் கொண்டுவருகிறார்கள். இவ்விதகாரியங்களில் கவர்மெண்டுதலையிட்டு சரியான நிலையில்கொண்டுவராதிருந்தால் ஏழை ஜனங்கள் எவ்விதம் முன்னுக்கு வருவார்கள். கவர்மெண்டே ஏழை ஜனங்களின் முன்னேற்றத்தைத்தடுக்கிறதுபோலிருக்கிறது. ஆனதினால் இவ்விதஅக்கிரமம் செய்கிறவர்களைக் கடித்து எல்லோருக்கும் எல்லாயிடத்திலும் நடக்க சுயாதீனம் ஏற்படுத்தவேண்டியதல்லவர்? சுசீந்திரம் பொதுப்பாதையைப்பற்றியும் சொன்னார். ஸர், இப்பாதைவழியாய் தாழ்த்தப்பட்டவர்களுடைய கல்லியாணம் வந்தால் மாப்பிள்ளையும், பெண்ணும் நடந்துதான் போகவேண்டும். வாத்தியங்கள் வாசிக்கக்கூடாது. அவைகளை நிறுத்திவிடவேண்டும். யாராவது இறந்தாலோ, அப்பிரேதத்தை அவ்வழியாக எடுத்துச் செல்லக்கூடாது. கல்லியாணகாலத்தில், பல்லக்கிலோ, வண்டியிலோ, போகக்கூடாது. என்ன பரிதாபம். இதை கவர்மெண்டு நிருத்தி, இம்மாதிரி பாதைகளை எந்த ஜாதியாருக்கும் எக்காலத்தும், உபயோகிக்கலாமென்று செய்யாமல்போனால் அது மிக்கபரிதாபம். ஏழைகளாகிய இவர்களுக்கு ஹிஸ்ஸி கோர்ட்டுக்குப் போகப்பணமில்லை. சண்டைபோட்டு ரத்தம் சிந்தவும் சாத்தியப்பட்டவர்களல்ல. ஜனசமுதாயத்தில் ஒரு லக்ஷப்பாரமாத்திரம் கவர்மெண்டு இப்படி நடத்தப்படுவார்களானால் அவர்கள் நிலைமை மிக்கப் பரிதாபமாய்விடும். அவர்களுடைய அறிவும், முன்னேற்றமும் குறைந்துபோகும். ஆதலால் நான் இவ்விதகாரணங்களோடு மி. ஆஸாலுடைய ரெஸல்யூஷனைப் பின் தாங்கிச் சொல்லுகிறேன்.

MR. A. THANU PILLAI (*Trivandrum*): I rise to a point of order whether temple matters and religious matters can be discussed in this Council.

MR. R. RAMAN PILLAI (*Kottayam*): മിസ്റ്റർ മാമോദരൻ ഞാൻ ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന പ്രമേയത്തെ ഞാൻ അനുകൂലിക്കുന്നു. അതിന്റെ അവതാരകന്റെഉദ്ദ്യമത്തെ അധ്വതത്തിൽ അഭിനന്ദിക്കുന്നു എന്നുള്ളതിനെ "every member" എന്നാക്കി. അപ്രകാരംഇന്ത്യൻസൊസൈറ്റിയിൽ

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[Mr. R. Raman Pillai.]

ഇല്ല. റസല്യൂഷനിൽ ഓരോരുത്തക്കും അധികാരം ഉണ്ടായിരിക്കണം എന്നാണ്. ഒരുസമുദായത്തിൽപെട്ടുപോയി എന്നകാരണംകൊണ്ട് പബ്ലിക്കിന്റെ പണം ചിലവാക്കീട്ടുള്ള യീതൊരു സ്ഥാപനങ്ങളിലും ചെല്ലുന്നതിനു സൌകര്യം ഇല്ലാതെ ആയി പോകരുതെന്നേ ഈ പ്രമേയം കൊണ്ട് ഉദ്ദേശിച്ചിട്ടുള്ളു. ദേവസ്വം വകയാകട്ടെ, കൊട്ടാരം സംബന്ധിച്ചാകട്ടെ ഉള്ള കാര്യങ്ങൾ ഈ കൌൺസിലിൽ വിമർശിക്കുന്നതിന് യാതൊരു അധികാരവും ഇല്ലന്ന നിയമം ഉള്ളതിനാൽ ഈറസല്യൂഷനിൽ അതു ഒരു ആക്ഷേപമാക്കികൊണ്ടു വരേണ്ട ആവശ്യമില്ല. എന്റെ ഒരു സ്നേഹിതൻ (Lunatic Asylum) ലൂണാറിക് അസൈലം പബ്ലിക്ക് ഫണ്ടുകൊണ്ട് ഉണ്ടാക്കിയതായതിനാൽ എല്ലാവരേയും Lunatic Asylum –ത്തിൽ അയക്കുന്നതിനു ലാ മെംബർക്കു വിരോധം ഉണ്ടോ എന്നു ചോദിച്ചു. ഇങ്ങനെ ചോദിച്ചതു് അദ്ദേഹത്തിന്റെ ബുദ്ധിയുടെ അപാരത്വംകൊണ്ട് എന്നുപറയാതിരിക്കാൻ നിവർത്തിയില്ല. എല്ലാപേക്കും Lunatic Asylum-ത്തിൽ ചെല്ലുന്നതിനു യാതൊരു വിരോധവും ഇല്ല. ഇതു അദ്ദേഹത്തിന്റെ ബുദ്ധിയുടെ ദീർഘക്കുറ്റൽകൊണ്ടു മനസ്സിലാക്കുന്നതിനു സാധിച്ചില്ലാ ഈവിധത്തിലുള്ള ഇൻസ്സിന്യുവേഷൻകൊണ്ടു മിസ്റ്റർ ആശാനെ അഥപതത്തിൽ ചാടിക്കാം എന്നു വിചാരിക്കുന്നു. അങ്ങനെ വിചാരിക്കുന്ന ഒരാളിനു Lunatic Asylum തന്നെയാണ് ആവാസയോഗ്യം. (ചിരി)

PRESIDENT: Mr. Raman Pillai, even when you are talking of one among yourselves, it is better not to make any offensive insinuation. Will you kindly withdraw that last sentence of yours?

MR. R. RAMAN PILLAI (*Kottayam*): അദ്ധ്യക്ഷൻ അവർകൾ അങ്ങനെ ആജ്ഞാപിച്ചിരിക്കുന്നതുകൊണ്ട് ഒടുവിൽപറഞ്ഞതിനെ ഞാൻ പിൻവലിച്ചിരിക്കുന്നു. അദ്ധ്യക്ഷൻ അവർകളുടെ ആജ്ഞയെ അതിലംഘിക്കുവാൻ എനിക്കു നിവർത്തിയില്ല.

പിന്നീട് ഭക്തിവിലാസം കളത്തിൽ എല്ലാപേക്കും ചെല്ലാമോ എന്നു ചോദിച്ചു. ആകളത്തിൽ മെസ്സേർസ്സ് സർ. പി. രാജഗോപാലാചാരി, രാഘവയ്യാ, വാട്ട്സ്സ്, കൃഷ്ണൻനായർ മുതലായവർ ഒരുപോലെ പോയിട്ടുണ്ട്. ഇനി ഒരു കാലത്തു മിസ്റ്റർ അഴകൻ തിരുവിതാംകൂർ ദിവാൻ പദത്തെ അലങ്കരിക്കുന്നതായാൽ അദ്ദേഹവും പോകാതെ ഇരിക്കയില്ല എന്നാണ് എന്റെ വിശ്വാസം.

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അടുത്തതായി ഗ്രാമവീഥിയെ സംബന്ധിച്ചാണ്. ആത്മാഭിമാനം ലോകം എങ്ങും വർദ്ധിച്ചു വരുന്ന ഈ കാലത്തു പബ്ലിക്കു മുതലുകൊണ്ടു ഉണ്ടാക്കപ്പെട്ട യാതൊരു സ്ഥലവും യാതൊരു സമുദായത്തിന്റേയും പ്രത്യേക ആവശ്യങ്ങൾക്കായി വിട്ടുകൂടാ എന്നാണ് ഈ റസല്യൂഷൻ കൊണ്ടു ഉദ്ദേശിച്ചിരിക്കുന്നതു്. പബ്ലിക്കു മുതൽ പ്രത്യേകം ഒരു സമുദായത്തിനുവേണ്ടിമാത്രം ചിലവാക്കാൻപാടില്ല. ഒരുസമുദായത്തിൽ പ്രത്യേകമായ ആവശ്യമുണ്ടെങ്കിൽ ആ ആവശ്യം ആ സമുദായത്തിൽനിന്നുതന്നെ ചെയ്യണം. ഈ രാജ്യത്തേക്കു ആവശ്യമുള്ള പണം കൊച്ചീരാജ്യത്തുനിന്നു് പിരിച്ചയക്കണം എന്ന ആക്ഷേപമെങ്കിലും ആവശ്യപ്പെടാമോ? ഇളങ്ങള്ളൂർ സ്വതന്ത്രപംവക കരം സ്വതന്ത്രത്തിൽ നിന്നാണു് പിരിക്കുന്നതു്. എന്നാൽ ആദേശങ്ങളിലെ ആവശ്യങ്ങളെല്ലാം തിരുവിതാംകൂർ ഗവണ്മെന്റിൽനിന്നുമാണു് ചെയ്തുകൊടുക്കുന്നതു്. അവിടത്തെകരം പിരിക്കുന്നവരെക്കൊണ്ടുതന്നെ അവരുടെ ആവശ്യങ്ങളും സാധിച്ചുകൊടുക്കണം എന്നു് ഞാൻ ഇവിടെ പറഞ്ഞുവെല്ലൊ. അതുപോലെ ഒരു സമുദായത്തിലെ പ്രത്യേക ആവശ്യങ്ങളും ആ സമുദായത്തിലെ പ്രത്യേക സ്വത്തുകൊണ്ടുതന്നെ നടത്തണം എന്നും പൊതുജനങ്ങളും നെറി വിയ്പ്പിച്ചുണ്ടാക്കുന്ന പണം അതിലേക്കു ഉപയോഗിച്ചുകൂടാ എന്നുംകൂടി ഈ പ്രമേയത്തിൽനിന്നും അനുമാനിക്കേണ്ടതാണു്. ഇതിൽകൂടുതലായിട്ടു് ഈ സംഗതിയെക്കുറിച്ചു് പറയാനില്ല.

അടുത്തതായി ഗവണ്മെന്റു് സ്ഥാപനങ്ങളെപ്പറ്റിയാണു്. അതിനെസംബന്ധിച്ചു് ഈ നിയമസഭയിൽ ആലോചിക്കേണ്ട അവകാശംതന്നെ ഇല്ല. മിസ്റ്റർ ബിഷപ്പിന്റെ ബംഗ്ലാവിൽ ഉള്ള റോഡിൽ ഇനി ഒരു അനന്തൻ കമ്മീഷണരാകുന്നകാലത്തു് ആ അനന്തനും പോകുന്നതിനു സാധിക്കും. ഇന്നു ആവിടെ ഈ കാണുന്ന എല്ലാസമുദായ അംഗങ്ങൾക്കും-എല്ലാഅംഗങ്ങൾക്കുംകൂടി വേണമെങ്കിലും പോകുന്നതിനു സ്വതന്ത്ര അവകാശമുണ്ടെന്നാണു് എന്റെ അഭിപ്രായം. ലാമെംബർ പറഞ്ഞിട്ടുള്ള സംഗതികൾക്കു് ഇതിൽകൂടുതൽ സമാധാനം പറയേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. അതിനാൽ ലാമെംബർ പറഞ്ഞിട്ടുള്ളസംഗതികളും ഈ പ്രമേയത്തെ സ്വീകരിക്കാതിരിക്കുന്നതിനു് മതിയായ കാരണങ്ങളല്ല. മിസ്റ്റർ ആശാന്റെ ഈ പ്രമേയത്തെ അനുകൂലിക്കുന്നു.

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MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, from the speech of the learned Law Member I understand that Government are not against the opening of these roads, tanks and *satroms* to all classes of the public. What Government want in this case is only to respect the sentiments and prejudices of certain classes of the people. Government have been respecting these prejudices from a very long time and they find that all of a sudden it will be impossible to give up all these sentiments, and perhaps that may be the reason which induced Government to abide further time to throw open these *satroms* and public places to all people alike. But in the matter of throwing open these roads, tanks and *satroms*, Government must understand that the people of Travancore have not got any great objection. In the past Government were shutting out certain schools to certain classes of people, but on account of subsequent agitation and on account of the request of the people they had to give up that and all classes alike were admitted to our schools. And Government must understand that in Travancore education has reached a very high level and people of all classes would consent to allow their brethren also to make use of the advantages of these public places. So, I do not see any reason why Government must stand in the way of the least privileged classes in enjoying these privileges. The learned Law Member spoke about *Gramaveethies* and the restrictions placed upon certain classes from travelling through those roads, and he said that the opening of these *Gramaveethies* mainly depend upon the decisions to be arrived at by our Civil Courts. I do not know whether that fact is well supported. So far as my knowledge goes the roads in Vaikam were mainly opened to the other classes at the instance of the Government and the Civil Courts were not at all consulted in the matter. With regard to the opening of these *Gramaveethies*, if Government are willing to throw open these roads to other classes as well, the Civil Courts cannot object to that. I advance these arguments of mine on account of the opening of the Vaikam road without consulting or without obtaining the opinion of the Civil Courts. With these words I support the resolution.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Sir, I support the spirit of the resolution. Mr. Asan tabled this resolution with the best of intentions. Roads, tanks and *satroms* are not to be excluded to any particular class or community because they belong to that class. Of course, certain restrictions are placed in respect of certain roads, tanks and *satroms* and if these restrictions are so placed in the interest of the public as a whole then those restrictions have to be respected by all communities. Mr. Asan had not in his contemplation Devaswom roads or tanks or the Palace roads and tanks, or the roads and tanks within the premises of the Police Commissioner or Mr. Robinson. He had in his contemplation only those roads, tanks and *satroms* which could without prejudice to the interest of all the sections of the people in the State, be kept open to all alike. Surely Bhaktivilas or the college premises are to be closed. Mr. Asan does not want them to be turned into thoroughfares. He only wants that the

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restrictions are so placed in the interest of the public as a whole and it is in the interest of the public as a whole that those restrictions are respected. If *Gramaveethies* are shut out to a particular class or community because those restrictions are necessary in the interest of the public as a whole, then that restriction may be enforced. But if there is no necessity, if the public as a whole do not require it, the restrictions should be done away with immediately. That is the spirit of the resolution. Of course, as the resolution stands, it contemplates, it comprehends all the roads, tanks and *satroms*, whether Devaswom tanks, Palace tanks or roads. It might, on that technical ground, be objected. The resolution, in its entirety, in the form as it stands may be difficult to be passed in this House because it touches all these matters. If the Government considered the spirit of the resolution with which it was tabled, then I do not think the Law Member in any way can claim a right to object to it. I hope, if the Government view the matter in that spirit and accept the resolution in the spirit in which it is moved, I think none of us will have any reason to complain. In supporting the spirit of the resolution I would advise Mr. Asan to consider the arguments placed before the House by theLaw Member and say whether he could press it to a division.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, while supporting the resolution I wish to bring to the attention of the House certain points which have to be understood very clearly by the members on this side of the House. Frst of all, Mr. G. P. Nilakanta Pillai's observations that the spirit of the resolution is to be accepted by the members on this side of the House and that the resolution as it is tabled is not one which is to deserve the attention of the members on this side of the House has to be considered. Sir, I say the resolution will have to be pressed, both in spirit and in the body and that point is to be made clear. If that point is not made clear at this stage it may lead to complications when any member may hesitate to record a vote. (Hear, hear). With reference to this particular resolution, the non-official members on this side of the House must understand that there is no halfway-house. First of all, that has to be clearly understood. The only point which was raised by the learned Law Member which is to deserve the attention of the members on this side of the House is this. Government can understand that all roads should be thrown open to all classes of the people of the State. But even *gramaveethies* should be included into the definition of a public road maintained by public funds is a thing which they cannot understand. It is the intention of the mover to include that also within the purview of the resolution? Sir, I must candidly say that the intention of the mover or as I have understood the mover, his intention is that even *gramaveethi* is included within the purview of this resolution. Therefore, there is no use of raising imaginary difficulties and vacilating over them. If some members want to have some hesitation or quibbling of arguments with reference to this resolution, they may have. Sir, with reference to these *gramaveethies* it is to be definitely

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and unambiguously put before this House if any particular class of people is enjoying the *gramaveethi* maintained with public funds the time has come for us to show that such a custom should not be continued even for a day more. If public expenditure means expenditure of money to which every one contributes and if a particular class in the State wants a right over a *gramaveethi* which they have been enjoying for some time past, they have to be told definitely the spirit of the times is one which would not favour it and the people at large are not going to countenance those stock arguments hereafter. If they want a right they must pay for that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member know who is the owner of the soil of the *gramaveethies*, that is to say of the land on which the *gramaveethies* exist?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Again in order to avoid such questions which are likely to take me beyond the track, I mean definitely to say that every thing maintained by public expenditure is included in the resolution.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That was not my question. Does the member know who is the owner of the land over which the *gramaveethies* exist?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Whether the public be the owner of the soil or not does not affect the merits of the question. An institution, a tank, *suttrom* or road which is being maintained by public funds comes under the resolution.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not my question, Sir, my question is this. Assuming that there are *gramaveethies*.

PRESIDENT: I think Mr. Nilakanta Pillai is trying to answer you. Please wait.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I am answering that. The public may not be the owner. But the institution may be one which is maintained with public funds even though the soil does not belong to the public. That institution will have to be thrown open to the public.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): How can the Government throw open private property to the public?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I cannot imagine. If there is a private property and it is being maintained by public funds it is the look out of the owner to see that the Government do not unnecessarily interfere with the usage of the private property. That applies to *gramaveethies* also. Therefore, the point is this. Whether it be *gramaveethies* or any other *veethies* if that is maintained out of public funds it has to be thrown open to all classes of the public.

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Then with reference to the other points of the learned Law Member's arguments, I must candidly submit except quibbling, there is nothing which has to be met by arguments. Just like Mr. Matthew Murikkan, I submit that the Law Member has not grasped the spirit of the resolution. Because he lost sight of the spirit of the resolution it led the Law Member to give some arguments. Otherwise he will not be able to oppose the resolution. That is the difficulty which the Law Member finds himself to be labouring under. Therefore, the spirit in which the resolution was discussed is to be grasped. Of course, the analogy the Law Member gave as regards the Girls' Schools, that because it is maintained with public funds every member of the public could not claim it as a matter of right, cannot be allowed. We are all reasonable human beings. We can understand that in the Girls' School there is a urinal. Therefore is it the object of the House in tabling this motion that every member of the public should have a right to enter that urinal. Does that argument appeal to any member of this House? Sir, by that analogy itself the opposition dwindles.

Then another learned member, Mr. Piraviperumal Pillai, said that the country has not fully progressed and the time has not come up for acting upon this resolution. I ask the question which is the part or unit of the whole of India which has progressed enough to act upon this resolution. I will ask Mr. Piraviperumal Pillai only this. On this issue we must all resign and seek re-election in the country which will be a more decisive answer to that question which does no more deserve my attention.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): By way of personal explanation I may say that I never meant that. I said that the time has not come for us to disregard and disrespect usage and custom

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Yes. Sir, many people may say usage, sanctity of usage and custom as an argument not to accept this resolution. It was also meant to suggest in this House that Government will not be able to go against the Judiciary. Sir, we are all aware of the customs and the pronouncement of the Judiciary particularly with regard to these customs. Therefore that is not an argument. If the country is in favour of disregarding a custom for the time being and if the elected representatives of the country after considering the question in all its aspects have come to a decision that that custom is not to be recognised as an authority or the maintenance of a particular custom stands in the way of progress of certain communities or the maintenance of particular customs will lead to disorder and disobedience of law in this country, I ask the question is it incompetent for the Government to interfere at this stage, as the custodian of law and order in the country, that by keeping and maintaining these customs which cannot appeal to the reason of the people of the country no more without provoking the people to break the law, to intervene at this stage and say we are not going to favour any more these customs which do not appeal to the reason of the people.

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Therefore, we are not going to be a party in this matter. The judiciary has to move according to the spirit of the times. The attitude of Government that they will not interfere with the judiciary is a way of getting out of the difficulty which may bring about deplorable results.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sentiments are not based on reason.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): That is the difficulty. Sentiments are not based upon reason. Therefore, sentiments without reason cannot appeal to human beings. There may be a peculiar sentiment. There may be nothing to back that sentiment by way of reason. Therefore you have to support it; is it the position?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sentiments can never be based on reason.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Need not be. Then another argument is that this matter have to be discussed in a court of law. If a particular action is necessary Government will use their discretion in the matter and if any particular institution is to be thrown open they will throw it open. I ask the question with regard to the Karkad road. Did not the Government find a necessity to open that road? If it were thrown open would it not serve the convenience of the public? Government were convinced of the necessity. What did Government do? Instead of throwing open a public road they constructed a new road in order to give room for sentiment. If Government found that there is real necessity for throwing open the public road to all classes of people, they ought to have opened it. Without doing that Government wanted to construct another road at the expense of the public. Is that the way of doing things? Who is the supreme authority to decide whether there is any necessity or not?

PRESIDENT: I have to draw your attention to the time.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefore, in the matter of deciding whether there is any necessity or not, we have not got a proper voice in the matter. Even when there is found to be a necessity, the trickery way in which they wanted to satisfy the people was by the opening of a new road. Every one who fought for that particular road had to pay for it. For the sake of some set of people all the Travancore people have to pay towards maintaining a time-worn custom which cannot appeal to reason. With these words I support the resolution.

MR. A. THANU PILLAI (*Trivandrum*): I also support the resolution. I was extremely surprised to find the way in which the learned Law Member attempted to interpret the resolution and to show that as it is worded it should not be accepted by the House. He laid emphasis on the words "maintained with public funds". He could see emphasis only in those words. But I would with all respect ask him to see emphasis in the words "to all classes of people without distinction of caste or creed". He cleverly overlooked the terms "without distinction of caste

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or creed". Sir, it would be very well for him to consider these most meaningful words contained in this resolution. What Mr. Asan evidently means is merely this. 'No person should be prohibited from using the roads, tanks or *satroms* maintained with public funds on the ground of his caste or creed'. That meaning is clear to any reasonable being so far as I can understand the language. But the learned Law Member resorted to the use of analogies that have absolutely no bearing, on the question at issue and wanted to take shelter under that subterfuge. He referred to the Tulasi Hill road, to the Girls' High School road and the *pandals* that are put up within the premises here. He referred to all these to show that the resolution cannot be supported. Sir, in regard to these I would submit that nobody is prevented from using the road leading to Mr. Bishop's Tulasi Hill bungalow merely because he belongs to a particular community. No body is prevented from using the Girls' High School road or the High School itself merely because he or she belongs to a particular community.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What about the *pandals* attached to this council chamber.

MR. A. THANU PILLAI (*Trivandrum*): I would say that it is obnoxious that the Government maintain here separate pandals for separate classes. I would be the very first to advocate the abolition of separate *pandals* for separate sets of people, I do not approve of the Government's conduct in putting up separate *pandals* and asking us to spend our waiting hours independently of each other community. I do not understand why Government do that. From this moment you may abolish that. I would be the very first to advocate the abolition. If I advocate this resolution it is mainly based on the very high principle that the State should not be a party to the maintenance and continuance of distinctions based on caste or creed. The community is unfortunately split into several classes and castes and thereby the progress of the State itself is retarded. But my position is that Government should by no means be a party to the maintenance of these distinctions. They should see that these distinctions are wiped off. When the people of the State say that they do not want these distinctions, they are against class privileges and class disabilities, Government ought to be prepared to see eye to eye with the people. Now, Sir, my friend referred to *gramaveethies* and *rajapathas* and said that there are certain decisions of our courts which recognise distinctions between those two kinds of roads and which lay down that the *gramaveethies* are not accessable to all classes of people. I ask him when were those decisions passed and on what were those decisions based.

They are based on custom. Now, Sir, are these unreasonable customs to be allowed to stand in the way of our progress for all time to come? That is the question I have to put.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Are the decisions wrong?

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MR. A. THANU PILLAI (*Trivandrum*): The decision might have been right. I would be the last person to say that the decision of the highest court in the land is wrong. But I say that the decision has to be interpreted with reference to the circumstances existing at the time. Now we have gone far ahead and the circumstances that existed at the time of the decision are no more.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then why not the member try to get a revision of the ruling of the High Court?

MR. A. THANU PILLAI (*Trivandrum*): As I understand the law and the application of legal precedents, I would resort as a reasonable man to the legislature for removing this defect and not to the judiciary. I would emphasise that this decision was passed at a particular time. Now the decision has to be changed according to the present circumstances. I do not mean to suggest that the courts will for all time be bound to follow their decisions. But the courts will be reluctant to depart from their decisions. When the conditions are changed and in the interests of progress the people want to effect a change in such unreasonable customs, it is for the legislature to see that the courts shall administer the law not in accordance with the decisions they laid down years ago but in accordance with the principles now obtaining in the country. I understand that to be the function of the legislature and not the function of the court.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is not a resolution a recommendation to the Government as distinct from the legislature?

MR. A. THANU PILLAI (*Trivandrum*): My friend has put another question which is very easily answered. When it is a recommendation to the Government does he mean to say that the Government cannot move the legislature? Is it his understanding of the duties that devolve upon him as law adviser to Government that makes him say that when this House makes a recommendation to the Government it is not for the Government to take proper steps for achieving the objects contained in that recommendation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it not open to the member to move the legislature?

MR. A. THANU PILLAI (*Trivandrum*): Yes, it is open to me. Is it not easier for him to move in this matter than it is for me? The member has now raised all these objections to the recommendation here. And if I move in the matter, can I not reasonably expect all manner of objections reasonable and unreasonable, tenable and untenable to be raisedby him? So, is it not more reasonable for the House to ask the Government to move in the matter and see that the necessary legislation is introduced?

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will the member advocate legislation even if it will interfere with private rights ?

MR. A. THANU PILLAI (*Trivandrum*) : Sir, why all these hypothetical questions ? I can understand cases where even private rights will have to be interfered with, if the matter is sufficiently important.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know who is to decide whether a particular question involves the existence of a private right or public right ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Are not the courts of the land to decide that ?

PRESIDENT : Mr. Thanu Pillai, you are trying to answer all these questions and your time is nearly up. You may refuse to answer any further questions if you choose.

MR. A. THANU PILLAI (*Trivandrum*) : Sir, I have only to tell you that the Law Member has deprived me of all my time by putting questions

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know whether it is the House or the Government to decide a particular matter is a private matter or a public matter ?

MR. A. THANU PILLAI (*Trivandrum*) : There are matters to be decided by the courts and there are matters to be decided in a general way and as a matter of policy by this House.

PRESIDENT : I may remind you that you have only two minutes more.

MR. A. THANU PILLAI (*Trivandrum*) : I have a lot to say on this matter but since I have got only two minutes more I will merely submit to this House that we must approach this question not in a narrow spirit but in a really liberal and statesmanlike spirit. Sir, times are advancing; we are advancing; ideas are changing. There was a time when a Proclamation had to be issued to allow the people to use even the so-called highways. There was a time when a Royal Proclamation had to be promulgated in order to set at nought objection against the Pulayas and others using these roads. We have advanced much further. You cannot tell a man that even though a road is maintained at public cost he should not use it because he is a Pulaya or a Paraya or Ezhava. These times are gone. If you do so now you will be inviting consequences which may not be very desirable. As reasonable men we all know how the world is moving. It is idle to say that men shall not enter this road or shall not enter this *satrom*, even though these are maintained out of public funds. Let us realise that fact and let not the Law Member take shelter under legal quibbles and subterfuges. Let us take facts as they are. Let us be liberal-minded and accept this resolution in the spirit in which it is placed before this House; and I hope the Government in spite of all that the Law Member has said will have broadmindedness enough to accept this resolution and act in-

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[Mr. A. Thanu Pillai.]

mediately on it and not give room for anybody to say that we are not progressive. You should see facts as they are and see that justice is done between man and man.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*): പൊതുമുതൽകൊണ്ടു സംരക്ഷിച്ചുവരുന്ന കളം, റോഡ്, സത്രം, ഇവയിൽ പൊതുജനങ്ങൾക്ക് ഒരുപോലെ പ്രവേശനം അനുവദിക്കണമെന്നുള്ള പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു. ചില വർഗ്ഗക്കാർക്ക് ഈ മാതിരിയുള്ള സ്ഥലങ്ങളിൽ പ്രവേശനമില്ലാത്തതുകൊണ്ടുള്ള അസൌകര്യവും ബുദ്ധിമുട്ടംകൊണ്ടുമാത്രമല്ല ഇങ്ങനെ പ്രവേശനംവേണം എന്നുപറയുന്നതു്. മനുഷ്യർക്കെല്ലാം സാധാരണയായുള്ള ആ പൊതുസ്വാതന്ത്ര്യം ഒരു രാജ്യത്തെ പ്രജ എന്നുള്ള നിലയിൽ ഒരു മനുഷ്യനെന്നുള്ള നിലയിൽ ഉള്ള ആ പൊതുസ്വാതന്ത്ര്യം ചിലവർഗ്ഗത്തിൽപെട്ട മനുഷ്യർക്ക് അനുഭവിക്കാൻ ഇടയാകാതെവരുന്ന എങ്കിൽ അതു് അവരുടെ ഉയർച്ചക്ക് ഹാനികരം എന്നുമാത്രവുമല്ല ഒരു അപമാനവുംകൂടിയാണു്. ഈ രാജ്യത്തു് അധിവസിക്കുന്ന ജനങ്ങളിൽ ഏതെങ്കിലും സമുദായത്തിനു് ഈ മാതിരി ആത്മാഭിമാനരഹിതമായ നിലയുണ്ടെങ്കിൽ അതിനു പരിഹാരമുണ്ടാക്കി അവരെ മുന്നോട്ടനയിക്കേണ്ടതു് ഈ രാജ്യത്തിന്റെ ഉയർച്ചക്കു അത്യാവശ്യമാണു്. എല്ലാഅഭിവൃദ്ധിയുംമാനസികമായിട്ടാണല്ലൊ ആരംഭിക്കുന്നതു്. ജന്മനാ തങ്ങൾ നികൃഷ്ടരാണെന്നും മറുമനുഷ്യർ നടക്കുന്ന റോഡിൽ നടക്കുന്നതിനോ പൊതു സത്രത്തിൽതാമസിക്കുന്നതിനോ, കളത്തിൽ കളിക്കുന്നതിനോ തങ്ങൾക്കവകാശമില്ലെന്നും തങ്ങളെ മൃഗങ്ങളെക്കാൾ നികൃഷ്ടന്മാരായി മറ്റുള്ളവർ കരുതിവരുന്നുഎന്നും ജന്മനാ വിചാരിക്കേണ്ടിയിരിക്കുന്ന ഒരു വലിയ ജനവിഭാഗത്തിനു ആത്മാഭിമാനവും തജ്ജന്യമായ ഉൽക്കർഷേച്ഛയും സ്വാതന്ത്ര്യബോധവും വളർത്തി അവരെ മുന്നോട്ടുകൊണ്ടുവന്നില്ലെങ്കിൽ അതുനിമിത്തം രാജ്യത്തിനു നാശം സംഭവിക്കുന്നതിനിടയുണ്ടു്. ഒരുരാജ്യത്തെ ജനങ്ങളുടെ മാനസികാഭിവൃദ്ധിയെ അതായതു് ആത്മാഭിമാനത്തെയും തജ്ജന്യമായഉൽക്കർഷേച്ഛയേയും സാരമായി ആശ്രയിച്ചാണല്ലൊ ആ രാജ്യത്തിന്റെ ഉയർച്ച ഇരിക്കുന്നതു്. ഒരാളിനു് പൊതുജനങ്ങൾ ഉപയോഗിക്കുന്ന ഒരു റോഡിൽ നടന്നുകൂടാ, ഒരു കളത്തിൽ ഇറങ്ങിക്കൂടാ, സത്രത്തിൽ പാർത്തുകൂടാ എന്നിങ്ങനെയുള്ള താണതരം വിചാരവും മറ്റുള്ളവരുടെ ഇടയിലുള്ള കഷ്ടതരമായ ഒരു സ്ഥാനവും മനസ്സിൽ വിചാരിച്ചുകൊണ്ടു് കഴിയേണ്ടിവന്നാൽ അയാൾക്കു എങ്ങിനെ ഉൽക്കർഷമുണ്ടാകും. ഈ അപമാനം അനുഭവിക്കുന്നവരും ഈ

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രാജ്യത്തു നിവസിക്കുന്ന നമ്മുടെ സഹപൌരന്മാരും രാജ്യമാകുന്നഭവനത്തിലെ തുല്യാവകാശമുള്ള സഹോദരന്മാരുമാണല്ലോ. അതിനാൽ അവക്കുവന്നിരിക്കുന്ന ഈ അപമാനത്തിലുംസംകടത്തിലുംനിന്ന് അവരെ രക്ഷിക്കേണ്ടതു നമ്മാം ഓരോരുത്തരുടെയും കടമയാണ്. എല്ലാ പൌരന്മാക്കുംഉള്ള മനുഷ്യസാധാരണമായ അവകാശങ്ങളും സ്വാതന്ത്ര്യങ്ങളും എല്ലാപേക്കും ഒരുപോലെ കൊടുക്കണമെന്നുള്ളവാദം ഈ കൗൺസിലിന്റെ ആരംഭംമുതൽ കൊണ്ടുവന്നിട്ടുള്ളതാണ്. പഴയമാമൂലുകളെഎല്ലാം ഉടനെ അതിലംഘിക്കുന്നതിന് അനുവദിക്കാൻപാടില്ല എന്നവിചാരംകൊണ്ടായിരിക്കാം ഗവണ്മെൻറ് ഇതിനെ തടഞ്ഞിരിക്കുന്നതു്. എന്നാൽ കാലാനുസരണമല്ലാതിരുന്ന പല മാമൂലുകളും പണ്ടേതന്നെ നിഷ്കാസനം ചെയ്കുകഴിഞ്ഞു. ഇപ്പോൾ ഈമാതിരിയുള്ള കാര്യത്തെപ്പറ്റി പരിഷ്കൃതമായ തിരുവിതാംകൂർരാജ്യത്തെ ഈ പ്രതിനിധിസ്ഥാപനത്തിൽ വച്ച് വാദപ്രതിവാദത്തിനു് ഇടയാക്കിയതു് ഇവിടത്തെ ജനതതിക്കു് ഒരിക്കലും അഭിമാനകരമായി ഗണിക്കുവാൻ പാടില്ല. ആ നിലയിലാണ് ഇപ്പോഴത്തെ ലോകഗതി. അതുകൊണ്ടു് ഈമാതിരിയുള്ള തടസ്സങ്ങളെ എത്രയും വേഗത്തിൽ ഇല്ലായ്മചെയ്യണം. എന്നാൽ ഇതുനിമിത്തം മതസംബന്ധമായ വിഷയങ്ങളിൽ അക്കെങ്കിലും അസൌകര്യം ഉണ്ടാക്കണമെന്നു് എനിക്ക് അഭിപ്രായമില്ല. ഈ കൌൺസിലിലുള്ള ആരും അങ്ങിനെ ഉദ്ദേശിച്ചിരിക്കയുമില്ല. ആരുടെയും പ്രൈവറ്റ് സ്ഥലങ്ങളിൽ പ്രവേശിക്കുവാൻ അനുവദിക്കണമെന്നു പറയുന്നില്ല, ദേവസ്വം സ്ഥലങ്ങളിലും പ്രവേശനം വേണമെന്നു പറയുന്നില്ല. അതു് ഈ പ്രതിനിധിസഭയുടെ പരിധിക്കപ്പുറമാണ്. അങ്ങനെയുള്ള സംഗതി ഈപ്രമേയത്തിനു് വിഷയീകരിച്ചിരിക്കുന്നു എന്നു് വിചാരിച്ചിരുന്നാൽ ഇതിവിടെ കൊണ്ടുവരുവാൻ അനുവദിക്കയില്ലായിരുന്നുവല്ലൊ. മതസംബന്ധമായകാര്യങ്ങളെ അതിലംഘിക്കണമെന്നു് ഈ പ്രതിനിധിസഭ നിശ്ചയം ചെയ്യുന്നുമില്ല. പൊതുമുതൽകൊണ്ടു് സംരക്ഷിക്കപ്പെട്ടുവരുന്ന ക്ഷേത്രങ്ങൾമുതലായ സ്ഥാപനങ്ങളിൽ പലവർഗ്ഗക്കാക്കും പ്രവേശനമില്ലാതെ ഇരിക്കുന്നുണ്ടെന്നുള്ളതു് ഈരാജ്യത്തിന്റെ എല്ലാഭാഗങ്ങളിലും സഞ്ചരിച്ചിട്ടുള്ള എനിക്ക് അനുഭവപ്പെട്ടിട്ടുള്ളതാണ്. ഇതുകൊണ്ടു് വിഷമങ്ങൾ ധാരാളമുണ്ട്. കുളങ്ങളെപ്പറ്റി പറയുകയാണെങ്കിൽ ചിലതിൽ ഇറങ്ങുവാനേ പാടില്ല. പബ്ലിക്കുറോഡിലും ചിലേടത്തെല്ലാം ഈ നിരോധമുണ്ട്. കുളങ്ങളുടെകാര്യം പറഞ്ഞതിൽ ദേവസ്വംവകുപ്പിൽ ചേർന്ന ആറാട്ടുകുളങ്ങളെയൊ ക്ഷേത്രക്കുളങ്ങളെയൊ ഉദ്ദേശിച്ചിട്ടില്ല.

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[Mr. Tariatu Kunjitomman.]

ചിലടത്തെ തടസ്സമുള്ളയെന്നു പറയുമായിരിക്കും. ഒരിടത്തു വെച്ചായാലും അപമാനവും അസ്വാതന്ത്ര്യവും ഗൌരവമുള്ളതാണ്. അതിനാൽ പൊതുമുതൽ കൊണ്ടു സംരക്ഷിക്കുന്ന കെട്ടിടങ്ങളേയും റോഡ്, സത്രം എന്നിവകളേയും എല്ലാവർക്കും പ്രവേശയോഗ്യമാക്കിത്തീർത്തു രാജ്യത്തിന്റെ അഭിമാനത്തേയും പ്രജകളുടെ സ്വാതന്ത്ര്യത്തേയും സംരക്ഷിക്കണമെന്നു പറഞ്ഞുകൊണ്ടു പ്രമേയത്തെ ഞാൻ ബലമായിപിൻതാങ്ങുന്നു.

MR. TAMARAPALLIL KOCHU TOMMAN (*Pattanamtitta*): പൊതുജനങ്ങളുടെ മുതൽകൊണ്ടു സംരക്ഷിച്ചുവരുന്ന പൊതുസ്ഥലത്തു് എല്ലാവർക്കും പ്രവേശനം കൊടുക്കണമെന്നുള്ള മി. ആശാന്റെ പ്രമേയത്തോടു് ഞാൻ യോജിക്കുന്നു. മനുഷ്യക്ക് എല്ലാവർക്കും ഉന്നതിയും സമഭാവനയും വേണമെന്നുള്ള ആഗ്രഹം ദൈനംദിനം വർദ്ധിച്ചുകൊണ്ടിരിക്കുന്ന ഈകാലത്തു് പൊതുജനങ്ങളുടെ മുതൽകൊണ്ടു് ഉണ്ടാക്കുന്ന കെട്ടിടങ്ങളും റോഡുകളും ഉപയോഗിക്കാൻ പാടില്ലെന്നു പറയുന്നതു് വളരെ സങ്കടമാണ്. നമ്മുടെരാജ്യത്തുള്ള പ്രധാനവഴക്ക് ജാതിവഴക്കാണ്. അതിനെ വർദ്ധിപ്പിക്കുന്നതിനുള്ള രണ്ടുകാരണങ്ങളിൽഒന്നു് ഉദ്യോഗവഴക്കും മറെറാന്നു് അസമത്വംഉള്ള ആളുകൾക്ക് സ്വാതന്ത്ര്യംകൊടുക്കാതിരിക്കുന്നവഴക്കുമാണ്. അതിനു നമ്മുടെ മുമ്പിൽകാണുന്ന ഈ ഷെഡ്ഡുകൾതന്നെ മതിയായതെളിവുകളാണ്. അവനവൻ ഓരോരുത്തരോടും ഐകമത്യത്തോടും സമഭാവനയോടും പെരുമാറുന്നെങ്കിൽമാത്രമേ മറവുള്ളവരും നമ്മോടു് ആവിധത്തിൽ പെരുമാറുകയുള്ളൂ. വൈസ്രായി അവർകളുടെയാത്രയിൽ ഇടപ്പാളയത്തുള്ള ഷെഡ്ഡുകളിൽ ഈമാതിരി ജാതി വ്യത്യസ്തങ്ങൾ ഉണ്ടായിരുന്നു എന്നു് ആളുകൾ പറയുന്നതു് എനിക്കു കേൾക്കാനിടയായി.

PRESIDENT: That is a quite unnecessary reference. You can avoid that.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*): നാം സമഭാവനയിൽ പെരുമാറിയില്ലെങ്കിൽ വിദേശികൾ നമ്മോടു് ഈവിധത്തിലെ പെരുമാറുകയുള്ളൂ. അതുകൊണ്ടു് ആശാൻ ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള പ്രമേയത്തിന്റെ താല്പര്യംപോലെ പബ്ലിക്ക് ഫണ്ടുകൊണ്ടു് എന്തെല്ലാം സ്ഥാപനങ്ങൾ ഉണ്ടാക്കിയിട്ടുണ്ടോ അവയെഎല്ലാം എല്ലാ പൊതുജനങ്ങൾക്കും സ്വാതന്ത്ര്യമായി തുറന്നുകൊടുക്കണമെന്നുള്ള അഭിപ്രായത്തെ ഞാനും പിൻതാങ്ങുന്നു.

MR. V. CHELLAM PILLAI (*Tovala*): Sir, I am very grateful to the mover for bringing this resolution. (*Louder please.*) I am equally grateful to Government for taking definite steps when opportunity

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offers. In former days certain classes of people were not allowed even to approach roads. But now-a-days we are finding Pulayas, Parayas and other so-called depressed classes rubbing shoulders with each other with Brahmins and other high caste Hindus.

MR. R. RAMAN PILLAI (*Kottayam*) : ഞങ്ങൾക്ക് ഒരുകാര്യം കേൾക്കാൻ പാടില്ലാ.

PRESIDENT : Mr. Chellam Pillai, Please speak as loud as you can.

MR. V. CHELLAM PILLAI (*Tovala*) : Now-a-days we find that Brahmins and the other so called high caste Hindus are rubbing shoulders with their so-called depressed class brethren in all walks of life. In former days it was not so. It is not the Government that brought about such a change. It is we, the non-official people here, who have brought that change. I know that such things are talked of in public platforms and as a result of that people have come to an understanding, have the good sense to ward off and do away with the untouchability problem. We know that in Suchindram in former days the depressed class people were not allowed to enter. But, for the last 12 or 15 years, the Ezhavas who were once prohibited from entering into the streets are entering there and they are moving with the high caste people very amicably even during ceremonial occasions. As a result of agitations even the Pulaya and Paraya brothers have come in. There is no objection from the Government. If there is any, it is among the people themselves. And now the people themselves, the so-called high caste Hindus themselves, have allowed their depressed class brothers to take part.

MR. D. C. JOSEPH (*Agastisvaram*) : May I ask why a prohibition board is put up at Suchindram ?

MR. V. CHELLAM PILLAI (*Tovala*) : I am not speaking with regard to that. If you question me about the subject on which I am speaking, I shall answer.

Therefore what I say is that the mistake lies in ourselves. We should educate our so-called high caste Hindus. We should tolerate the feelings of our depressed class brethren. I do not want the Government to interfere in such matters. If they want Government's help Government will come with force. I do not want to shed the blood of depressed class brothers. It is better to rule by love than by force.

MR. N. R. KRISHNAN (*Nominated*) : അധഃകൃതവർഗ്ഗത്തിൽപെട്ടവരെ സ്കൂളുകളിൽ ചേർത്തു് ജനങ്ങളുടെ വർഗ്ഗതത്തോടുകൂടിയാണോ?

MR. V. CHELLAM PILLAI (*Tovala*) : I am coming to that.

So it is the duty of all the non-officials to educate the high caste Hindus to persuade them and to make them give in to the depressed class fellows. Even after Satyagraha if anything is got by force I do not think it will stand.

In former days even the Ezhavas were not allowed entry into many schools in the State. But the Government found out that the High

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[Mr. V. Chellam Pillai.]

caste Hindus are very particular in having Government schools. They thought that the desire was so intent that they cannot but have them. At that time the Government also took a favourable view and said that unless the depressed class people were allowed entry, the high caste people will not have any school. People have yielded and now we find depressed class brethren rubbing shoulders with the Brahmins in many of our schools. In my opinion Government want only to preserve peace. That is all their point and not interfering with doing away with the so-called sentiments. That is my opinion. I hope that all my brothers on this side of the House will try to persuade the so-called high caste Hindus to afford such facilities so that such a resolution is not brought up in the next Council.

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): അതിനെ പേഴ്സേപഡ്ചെയ്യാതെ സമ്മതിക്കുന്ന കൂട്ടങ്ങൾ ഉണ്ടെങ്കിൽ വഴക്കില്ലല്ലൊ?

MR. V. CHELLAM PILLAI (*Tovala*): അങ്ങിനെ കാണുന്നില്ല.

MR. D. C. JOSEPH (*Agastisvaram*): May I remind the member that when he took a brother member to inspect particular places in the Suchindram village, he took him through a roundabout way?

MR. V. CHELLAM PILLAI (*Tovala*): For what purpose?

MR. D. C. JOSEPH (*Agastisvaram*): To see the Manakudiyan *kal*.

MR. V. CHELLAM PILLAI (*Tovala*): I know that. It is because that friend of mine was not bold enough to accompany me.

MR. K. MADHAVAN (*Nominated*): கடந்தவருஷத்தில் சுசீந்திரம் தெரு விலேபோன ஈழவர்களை அடித்தது மெம்பருக்குத் தெரியுமா?

MR. V. CHELLAM PILLAI (*Tovala*): ஏதோ இரண்டுபேர்கள் சண்டைபோட்டுக்கொண்டார்கள். இத்தட்டை எத்தனையோபேர்கள் போயிருக்கிறார்கள். அது எனக்குத் தெரியும்.

MR. P. S. MAHOMED (*Nominated*): പൊതുജനങ്ങളുടെ ഫണ്ടുകൊണ്ടു സംരക്ഷിക്കുന്നതായറോഡ്, കുളം, സത്രം ഇവയെ പൊതുവെഎല്ലാവക്കും ഉപയോഗിക്കത്തക്കവിധത്തിൽ കൊണ്ടുവരണമെന്നുള്ള മി: ആശാന്റെ പ്രമേയം ഏറ്റവും വിനീതമായ ഒരു ശുപാർശയാണെന്നാണ് ഞാൻ അഭിപ്രായപ്പെടുന്നതു്. ഗവണ്മെൻറ് എല്ലാമതസ്ഥന്മാരിൽനിന്നും ഒരുപോലെ പിരിക്കുന്ന ആ ധനത്തെ എല്ലാവരുംഒരുപോലെ ഉപയോഗിക്കുന്ന സംഗതികളിൽ ചിലവഴിക്കണമെന്നുള്ളതിനു് യാതൊരു സംശയവുമില്ല. ഈ തിരുവിതാംകൂറിലെ ജനങ്ങൾ പലജാതികളായി പിരിഞ്ഞിരിക്കുന്നസ്ഥിതിക്ക് ഗവണ്മെൻറ് ഇങ്ങിനെയുള്ള സംഗതിക

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ളിൽ കൈകടത്തി പ്രവർത്തിക്കുന്നതു് സാധ്യം വിഷമമാണെന്നു് സമ്മതിക്കുന്നു. എന്റെസ്നേഹിതൻ മി. ആശാനോടു ലാമെമ്പർ ചോദിച്ച ചോദ്യത്തിനു് ഉത്തരമായിട്ടു പൊതുഫണ്ടിൽ ദേവസ്വം ഫണ്ടു് ഉൾപ്പെടുകയില്ലെന്നു പറഞ്ഞിരിക്കുന്നസ്ഥിതിക്കു് ഈ റസല്യൂഷനെ വളരെ നിസ്സാരമായി നടപ്പിൽ കൊണ്ടുവരുന്നതിനു് ഗവണ്മെൻറിനു് സാധിക്കുന്നതാണു്. പൊതുഫണ്ടു് മി. ആശാൻ നിശ്ചയിച്ചു നിലയിലുള്ള ഫണ്ടു്-കൊണ്ടു് നടത്തപ്പെടുന്ന റോഡിൽ എല്ലാവർക്കും ഒരുപോലെ അവകാശം ഉണ്ടായിരിക്കേണ്ടതാണു്. അതിൽ മതസംബന്ധമായ കാരണങ്ങളാലൊ മറ്റുവല്ല സംഗതികളാലൊ ഗവണ്മെൻറിനു നിവർത്തിയില്ലെന്നു കാണുന്ന സംഗതികളിൽ മതസംബന്ധമായ ഫണ്ടു് ചിലവഴിക്കുന്നതിനു സൗകര്യമുള്ളസ്ഥിതിക്കു് ഗവണ്മെൻറു് ഇതിൽ വൈമുഖ്യം കാണിക്കേണ്ട ആവശ്യമില്ലെന്നാണു് എന്റെ അഭിപ്രായം. അതിനാൽ മി: ആശാൻ കൊണ്ടുവന്നിട്ടുള്ള പ്രമേയത്തെ ഞാൻ ഹൃദയപൂർവ്വം പിൻതാങ്ങുന്നു.

MR. K. N. KESAVAN NAMPUTIRIPAD (*Jenmies*): Sir, I also rise to support the resolution moved by my friend Mr. Asan. It was not my intention to speak anything in the matter, but when so many members took part in the discussion, it is but proper that I also express my feeling. The resolution as it stands is an innocent one. It does not do any harm to any community whereas it removes the disabilities of a large section of the population. (Hear, hear). Many of the members who spoke against the resolution said that it would wound the religious sentiments of certain people. The non-acceptance of this resolution is wounding a larger section of the population. The arguments advanced by the Law Member in opposing this resolution, to my mind, are unconvincing and unreasonable. I thought that the arguments advanced by the opposers would be more reasonable and so I thought that I could make a better use of them in deciding the quistion. Some others stated that similar resolutions have been brought to the consideration of this House, but they were rejected. Whatever might have been the mentality of those persons who opposed the resolutions in former times, I am sure we have advanced very far in these matters. Coming as I do from a community which is most conservative in these matters, I can assure the House that there is a large section in that community which is in favour of recognising the rights of other people and romoving disabilities which stand in the way of their progress. (Hear, hear). The resolution states that the roads, tanks and *satroms* which are maintained out of public funds should be thrown open to the public. It is nothing but reasonable and logical that they should be allowed to be used by the public. If they are intended to be used by a particular section of the community that community alone should be called upon to spend the money for the maintenance. In conclusion I heartily support the resolution.

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MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): സർ, മിസ്റ്റർ ആശാൻ അവതരിപ്പിച്ച പ്രമേയത്തെ ഞാൻ ബലമായി പിൻതാങ്ങുന്നു. പാണ്ടേതന്നെ ക്ഷത്രിയർ ബ്രാഹ്മണരെ അനുകരിച്ചുപ്രവർത്തിക്കുന്നുഎന്ന് ഒരു അപവാദമുണ്ട്. അതുതന്നെയാണു ഞാൻ ഈ സന്ദർഭത്തിലും ചെയ്യാൻ നിശ്ചയിച്ചിരിക്കുന്നതു്. ഞങ്ങളുടെ പുരോഹിതനായ മിസ്റ്റർ നംപൂതിരിപ്പാട് ഇതിനോടു് അനുകൂലിച്ച സ്ഥിതിക്ക് ഇതിനെ അനുക്രമിക്കുന്നതിന് എനിക്കു യാതൊരു തടസ്സവുമില്ല. ഗ്രാമവീഥികളിൽക്കൂടി താഴ്ന്നജാതിക്കാർ സഞ്ചരിക്കുന്നതിനു ബ്രാഹ്മണർക്കു ചില തടസ്സമുണ്ടെന്ന് എന്റെ സ്നേഹിതൻ മിസ്റ്റർ കയ്യാലം പരമേശ്വരൻപിള്ള പറയുകയുണ്ടായി. എന്നാൽ ഇതൊക്കെ കേവലം സെൻറിമെൻറൽ ആണെന്നു പറയാതിരിക്കാൻനിവർത്തിയില്ല. അതിനു രണ്ടുകാരണങ്ങളാണ്. ആദ്യമായി ഒരു ഗ്രാമത്തിൽക്കൂടി ജാതി ഇന്നതാണെന്നറിയാത്ത ഒരാൾ പോകുകയാണെങ്കിൽ ഒരിക്കലും അയാളെ തടസ്സം ചെയ്കയില്ല. എപ്പോൾ ജാതി അറിയുന്നുവോ അപ്പോൾമാത്രമെ തടസ്സം ചെയ്കയുള്ളൂ.

ഈഴവൻ കൃസ്ത്യൻ ആയിക്കഴിഞ്ഞാൽ എവിടെ ക്രടിനടക്കുന്നതിനും തടസ്സം പറയുന്നുമില്ല, പറഞ്ഞാൽ ഛോദ്യവുമുണ്ടാകും. ഇപ്പോൾ എന്റെ നാടായ മാവേലിക്കരയിൽ ക്ഷേത്രത്തിന്റെ നാലുവശത്തുംക്രടി എല്ലാ ജാതിക്കാരും (ഈഴവരും മറ്റുള്ളവരും) സാധാരണയായി നടക്കുന്നു. കൃസ്ത്യനായ പല ഈഴവന്മാരും പുലയന്മാരും പറയന്മാർതന്നെയും എല്ലാവരും അറിയേതന്നെ നടക്കുന്നുണ്ട്. സാൽവേഷൻആർമിയിൽചേർന്ന പലപുലയരും പറയരും ധാരാളമായി നടക്കുന്നുണ്ട്. ഇതെല്ലാംകൊണ്ടു് ഇങ്ങിനെ തടസ്സംപറയുന്നതു് കേവലം സെൻറിമെൻറൽ അബ്ജക്ഷൻമാത്രമേയുള്ളു എന്നു പ്രത്യക്ഷപ്പെടുന്നു. ഇവർക്കു സഞ്ചാരസ്വാതന്ത്ര്യം കൊടുക്കുന്നതുകൊണ്ടു് യാതൊരു തരക്കേടും വരാനില്ല. ഇങ്ങനെയുള്ള ദുരാചാരങ്ങളെ എല്ലാം മാറ്റി ഗ്രാമവീഥിയിലും ഗവൺമെൻറുവക റോഡുകളിലും ഒരുപോലെ നടക്കാമെന്നുള്ള ഒരു നില വന്നില്ലെങ്കിൽ ഹിന്ദുമതത്തിന്റെ സ്ഥിതി എന്താണെന്നു് ആലോചിച്ചുനോക്കുക. ഇങ്ങനെ കുറച്ചുകാലം കഴിയുമ്പോൾ ഒടുവിൽ ഹിന്ദുമതത്തിൽ ആളുകൾ ഇല്ലാതെ വന്നുപോകും.

MR. V. CHELLAM PILLAI (*Tovala*): പുലയർ പറയർ എന്നീ ജാതിയിലുള്ള ഡാക്ടറന്മാർ ബ്രാഹ്മണരുടെ വീടുകളിൽ വരുന്നതു് തെരുവുവഴിയാണൊ, അല്ല വേറെവഴിയാണൊ?

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MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): തെരുവുവഴി വരുന്നതിന് സംശയമുള്ളവർ വേറെവഴിയിൽക്കൂടി വരും.

MR. V. CHELLAM PILLAI (*Tovala*) : തെരുവുവഴി വരുന്നതിന് അവക്ക് തടസ്സം വല്ലതും ഉണ്ടോ?

MR. REVATI NAL RAMAVARMA RAJA (*Edavagai*): ഡാക്ടറന്മാർ തെരുവഴി സഞ്ചരിക്കുന്നതിനു ഒരിക്കലും തടസ്സം ഉണ്ടാകാറില്ല. ഇതിനെ സംബന്ധിച്ചു അധികംപറഞ്ഞു സമയം കളയണമെന്നു വിചാരിക്കുന്നില്ല; മിസ്റ്റർ ആശാന്റെ പ്രമേയത്തെപിൻതാങ്ങുന്നു.

The Council adjourned for lunch at 2-3. P. M. and reassembled at 2-45 P. M.

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : സർ, മി. ആശാന്റെ പ്രമേയത്തെ ഞാനും ബലമായി പിൻതാങ്ങിക്കൊള്ളുന്നു. ഇതുപോലെ ഒരു പ്രമേയം ഈ കൌൺസിലിലേക്കു ഞാനും അയച്ചിരുന്നതാണു്. എന്നാൽ അതിനു് അനുരൂപമായ മി. ആശാന്റെ പ്രമേയം വാദപ്രതിവാദത്തിനു വന്നതിലും അതിനെ പിൻതാങ്ങുന്നതിനു് ഇടയായതിലും എനിക്കു വളരെ സന്തോഷമുണ്ടു്. പൊതുമുതൽകൊണ്ടു സംരക്ഷിക്കപ്പെട്ടവരുന്ന റോഡുകളും, കുളങ്ങളും, സത്രങ്ങളും ഇവ ജാതിമതഭേദംകൂടാതെ എല്ലാസമുദായത്തിലും ഉൾപ്പെട്ട ആളുകൾക്കു് ഉപയോഗിക്കുന്നതിനു സ്വാതന്ത്ര്യം ഉണ്ടായിരിക്കണമെന്നുള്ളതാണു് ഈ പ്രമേയത്തിന്റെ താല്പര്യം. അതു് ഇതേരൂപത്തിൽതന്നെ പാസ്സാകുന്നതിൽ പണ്ഡിതനായ ലാമെമ്പർ പ്രതീക്ഷിക്കുന്നതുപോലേയുള്ള പ്രായോഗികതടസ്സങ്ങളും ഒന്നും ഉള്ളതായി എനിക്കു തോന്നുന്നില്ല. എല്ലാക്കാലത്തും ഈ മാതിരി മാറ്റങ്ങളും വരുത്തുന്നതിൽ യാഥാസ്ഥിതികന്മാരായ ഏതാനും ആളുകൾ വിരോധികളായി ഉണ്ടായിരിക്കുമെന്നുള്ളതു സാധാരണമാണു്. എന്നാൽ ഭൂരിപക്ഷം ജനങ്ങളുടേയും അഭിപ്രായവും അവരുടെ മനസ്ഥിതിയും എങ്ങിനേ ഇരിക്കുന്നു എന്നു നോക്കിയാണു് ഇങ്ങിനേയുള്ള കാര്യങ്ങളിൽ ഗവണ്മെന്റു പ്രവർത്തിക്കേണ്ടതു്. വയ്ക്കം റോഡുതന്നെ ആദ്യം തുറന്നുകൊടുക്കുന്നതിൽ വിരോധികളായി പലരും ഉണ്ടായിരുന്നു എന്നു വരികിലും ആ റോഡ് എല്ലാവക്കും ഉപയോഗയോഗ്യമായി കൊടുത്തശേഷം അതിനു് വിപരീതക്കാരായിനിന്ന ആളുകളുടെ തടസ്സങ്ങളും നീങ്ങിപോകയാണുണ്ടായതു്. ഇപ്പോൾ സകല സമുദായത്തിൽപ്പെട്ട ആളുകളും നിർബാധമായി ഉപയോഗിച്ചുവരുന്നു. അതുപോലെതന്നെ പള്ളിക്കുടങ്ങളും ആദ്യം എല്ലാ സമുദായക്കാക്കുംതുറന്നുകൊടുത്തപ്പോൾ വിരോധികളും കുറേപ്പേർഉണ്ടായിരിക്കയും

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[Mr. Muruvelil Pachu Pillai.]

ഒട്ടുവിൽ അതു തീരുകയും ചെയ്യും. അതിനാൽ ഇങ്ങിനേയുള്ള കാര്യങ്ങളിൽ ഗവണ്മെണ്ടു പ്രതിബന്ധികളെ അനുകൂലിക്കയില്ലെന്നു ബോധ്യംവന്നാൽ യാതൊരുസ്ഥലത്തും ഒരുവിധത്തിലുമുള്ള പ്രതിബന്ധങ്ങൾ ഉണ്ടാകുന്നതിനിടയില്ല. ഇനിയും ഇങ്ങനേയുള്ള പൊതുസ്ഥലത്തിൽ കൂടി ഏതാനും സമുദായത്തിൽ ഉൾപ്പെട്ട ആളുകളെ അവർ ഒരു പ്രത്യേക സമുദായത്തിൽ ഉൾപ്പെട്ടവരായതുകൊണ്ടോ അല്ലെങ്കിൽ അവർ പ്രത്യേകം ഒരു ജാതിയിൽ ജനിച്ചുപോയതുകൊണ്ടോ പ്രവേശനം അനുവദിക്കാൻ പാടില്ലെന്നു പറഞ്ഞുകൊണ്ടു മാമൂലാചാരങ്ങളെ ഇപ്പോഴും ബലമായി പിടിച്ചുകൊണ്ടു് അവരെ നിരോധിക്കുന്നതു് ഒരിക്കലും ഒരു പരിഷ്കൃതഗവണ്മെൻറിനു ന്യായമായിരിക്കയില്ലെന്നാണു് എൻെറ അഭിപ്രായം. ഇതേസംബന്ധിച്ചു മറുപല മെമ്പർമാരും വിശദമായി പ്രസംഗിച്ചുകഴിഞ്ഞിരിക്കുന്നതുകൊണ്ടു ക്രൂതൽ സമയം എടുക്കണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. അതുകൊണ്ടു ഞാൻ മി. ആശാൻെറ പ്രമേയത്തെ ഹാർട്ടായി പിൻതാങ്ങുന്നു.

MR. A. G. MENON (*Parur*): I would accord my full support to the resolution moved by Mr. Damodaran Asan. The arguments I have to advance are the same advanced by my friend Mr. Namputiripad and Mr. Revati Nal Rama Varma Raja. They have practically taken the wind out of my sails in this affair. What I contend is, so long as I support this resolution, I am not here to favour any community except the Hindus. Of course, they are affected by it. But, if you are real Hindus, if you are the followers of the ancient Rishies, certainly you should not observe those social usages which debar now something like 30 to 40 per cent of our religionists from using those places which we use at present. For this one reason, if not for any other reason, I would ask all my Hindu friends, whether official or non-official, if they were real disciples of the Rishies, and if they are true to their religion, to vote for this resolution.

MR. ITTOOP ITTEECHAN (*Kunnatnad*): സർ, മി. ആശാൻെറ പ്രമേയത്തെ പിൻതാങ്ങുന്നതിൽ എനിക്കും വളരെ സന്തോഷമുണ്ടു്. പൊതുമുതൽകൊണ്ടു സംരക്ഷിച്ചുവരുന്ന റോഡുകൾ, കുളങ്ങൾ, സത്രങ്ങൾ മുതലായവ ഈ ഇരുപതാംനൂറാണ്ടുവരെ അവർണ്ണഹിന്ദുക്കൾ, അഹിന്ദുക്കൾ മുതലായവർക്കു ഉപയോഗപ്പെടുത്താൻപാടില്ലാത്തവിധത്തിൽ അതു ബന്തവസ്സായി വച്ചിരിക്കുന്ന ആ ഒരു സംഗതിയെക്കുറിച്ചു് അതു് ആരുടെ ഉപയോഗത്തിനായിവച്ചിരുന്നോ അവരിൽ ഒരാൾതന്നെ ഈ പ്രമേയം ഇവിടെ കൊണ്ടുവരികയും മറു പലരും അതിനെ പിൻതാങ്ങുകയും ചെയ്തിട്ടുണ്ടു് എന്നുള്ളതു് ഏറ്റവും സന്തോഷകരമായ ഒരു സംഗതിയാകുന്നു. ഈ പൊതുമുതൽകൊണ്ടുണ്ടാക്കുന്നതു് പൊതുജനങ്ങളാണു്

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ഉപയോഗപ്പെടുത്തേണ്ടതെന്നുള്ളതിന് ഒരു നിയമത്തിൽ നോക്കിയാലും തടസ്സം കാണുകയില്ല. എന്നാൽ ഇന്നിതിനെ അനുകൂലിച്ചിട്ടുള്ള മെസെർസ് കേശവൻ നമ്പൂതിരിപ്പാട്, രേവതിനാഥരാമവമ്മരാജാ എന്നിവരെ ഞാൻ പ്രത്യേകം അനുമോദിക്കുന്നു. ഇതുയും പ്രസ്താവിച്ചുകൊണ്ട് ഈ പ്രമേയത്തെ പിൻതാങ്ങികൊള്ളുന്നു.

MR. V. S. KRISHNA PILLAI (*Tiruvalla*): സർ, മി. ദാമോദരൻ്റെ ശാന്റെ പ്രമേയത്തെ ഞാനും ഹാർദ്ദമായി പിൻതാങ്ങിക്കൊള്ളുന്നു. പൊതുമുതൽകൊണ്ടു സംരക്ഷിക്കപ്പെട്ടവരുന്ന റോഡുകളും, കുളങ്ങളും, മറ്റു സ്ഥാപനങ്ങളും ഇവ പൊതുവെ ജാതിമതഭേദമെന്യേ എല്ലാവക്കും ഉപയോഗപ്പെടുത്തുന്നതിനു അനുവദിക്കണമെന്നുള്ളതാണ് ഈ പ്രമേയത്തിന്റെതാല്പര്യം. എനിക്കു പറയാനുള്ളതു് ഇതു വളരെ വാദപ്രതിവാദത്തിനു കാരണം ഈ പ്രമേയത്തിലുണ്ടോ എന്നുള്ളതിനെപ്പറ്റിയാണ്. ഗവണ്മെൻറ് ഈക്കാര്യം ഇതിനുമുമ്പുതന്നെ നടപ്പിൽവരുത്തേണ്ട കടമയുള്ളപ്പോൾ ഇപ്രകാരം ഒരു പ്രമേയം ഇവിടെ കൊണ്ടുവരേണ്ടിവന്നതു് ഒട്ടും അഭിമാനകരമല്ലെന്നുള്ളതുകൂടി ഈ അവസരത്തിൽ പ്രസ്താവിക്കേണ്ടിയിരിക്കുന്നു. ഒരു പരിഷ്കൃത ഗവണ്മെൻറ് ഒരുകാലത്തും നടപ്പിൽവരുത്താൻ പാടില്ലാത്തതായ ഒരു നടപടിയാണ് ഇതു് എന്നുള്ളതു വളരെ ബുദ്ധിശക്തികൊണ്ടൊന്നും ആലോചിക്കേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. ഇതു കേവലം സാദ്ധ്യമായ ഒരു കാര്യമാണ്. റോഡുകളിൽക്കൂടി സഞ്ചരിക്കുന്നതിനും കുളങ്ങളിൽ കുളിക്കുന്നതിനും സത്രങ്ങളിലും മറ്റു സ്ഥാപനങ്ങളിലും താമസിക്കുന്നതിനും ജാതിവിഭാഗം തടസ്ഥമായിതീരുന്നുവെങ്കിൽ തീർച്ചയായും അതു മമ്മദീദകമാണ്. മനുഷ്യസാധാരണമായ അഭിപ്രായത്തിനുമാത്രം പര്യാപ്തമായി നോക്കുന്നതായാൽ തീർച്ചയായും ഇങ്ങനെ ഒരു പ്രമേയംകൂടാതെ തന്നെ ഗവണ്മെൻറ് ഇതിനുമുമ്പുതന്നെ ഇതിനു പരിഹാരം ഉണ്ടാക്കേണ്ടതായിരുന്നു. അങ്ങിനെയിരിക്കെ ഇങ്ങനെ ഒരു പ്രമേയം ഇവിടെ വാദപ്രതിവാദത്തിനിടയായതു നമ്മുടെ നിർഭാഗ്യമെന്നു മാത്രമേ ഞാൻ വിചാരിക്കുന്നൊള്ളു. ഏതായാലും ഈ പ്രമേയം ഒരു വിധത്തിലും ഗവണ്മെൻറിനാകട്ടെ പൊതുജനങ്ങൾക്കാകട്ടെ ഉപദ്രവംചെയ്യുന്നതാണെന്നു് എനിക്കു തോന്നുന്നില്ല. എന്നുമാത്രമല്ല നമ്മുടെ ഗവണ്മെൻറിന്റേയും പൊതുജനങ്ങളുടേയും മഹാമനസ്കതയെ മാത്രമെ ഇതു പ്രദർശിപ്പിക്കുന്നൊള്ളു. അതുകൊണ്ടു ഈ പ്രമേയം ഇതു താമസിച്ചാണല്ലോ പാസ്സായതെന്നു മനസ്താപമില്ലാതെയില്ല.

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പൊതുമുതൽകൊണ്ടു സംരക്ഷിക്കപ്പെട്ടവരുന്ന റോഡുകൾ, കുളങ്ങൾ മറ്റു പൊതുസ്ഥാപനങ്ങൾ എന്നു മാത്രമേ എന്റെ സ്നേഹിതന്റെ പ്രമേയത്തിൽ കാണുന്നൊള്ളൂ. എന്നാൽ എനിക്ക് ഒന്നുകൂടി തോന്നുണ്ട്. അതായതു് ഒരുപദംകൂടി ചേർക്കണം. "പൊതുമുതൽകൊണ്ടു ഉണ്ടാക്കീട്ടുള്ളതും ഉണ്ടാക്കപ്പെടുന്നതും എന്നും അതുപോലെതന്നെ പൊതുമുതൽകൊണ്ടു സംരക്ഷിക്കപ്പെട്ടവരുന്നതും, സംരക്ഷിക്കപ്പെടുന്നതും" ആയ റോഡുകൾ കുളങ്ങൾ മറ്റു സ്ഥാപനങ്ങൾ എന്നുകൂടി ആയിരുന്നാൽ പണ്ഡിതനായ മി. കയ്യാലം പരമേശ്വരൻപിള്ള ചൂണ്ടിക്കാണിച്ചതുപോലെ ഒവ്വ്യാഖ്യാനത്തിനുപോലും വകയില്ലായിരുന്നു എന്നാണ് എനിക്കു തോന്നുന്നതു്. അതുകൊണ്ടു് അങ്ങിനെ ചേർത്താൽ ഈ പ്രമേയത്തിനു കുറെക്കൂടി ശക്തിയും വ്യാപ്തിയും ഉണ്ടാകുമായിരുന്നു. എന്നായാലും ഇതു് ഈ രൂപത്തിൽതന്നെ പാസ്സാകുന്നതിൽ യാതൊരു വിരോധവുമില്ലെന്നും ഈ പ്രമേയം സമയോചിതമാണെന്നും മാത്രം പ്രസ്താവിച്ചുകൊണ്ടു ഞാൻ എന്റെ സ്നേഹിതൻ മി. ആശാന്റെ പ്രമേയത്തെ ബലമായി പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I have been accused by the Law Member of not supporting my resolution with a speech, explaining the reasons for bringing forward this resolution. It is nothing but a desire to observe strict economy of time that compelled me not to take the time of the House by making a speech on a resolution which I thought would be accepted in that form by all members of this House. So, considering that point I hope, the Chair will not be very strict in limiting my time, since I want to meet the points raised by the Law Member.

PRESIDENT: All those points have already been met by several members of this House.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If there is any repetition of facts, the Chair is entitled to check me.

PRESIDENT: As far as possible try to be brief.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): First of all I must make my position clear, whether public funds include Devaswom funds? Yesterday when the Law Member asked me a question I was not in a position to explain that point. I do not state specifically that Devaswom funds are not included in Public Funds-beware, I thought the very word 'Devaswom' might be sufficient to disallow my resolution. I do not think that the Law Member could raise a point of order for things which are not contained in my resolution. That is all I have to say about Devaswom Funds.

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Then what the Law Member tried to impress upon this House was, that there is a large difference between *Gramaveethies* and *Rajapathas and as Gramaveethies* are not accessible to all classes of people according to immemorial custom recognised by courts in the land this Council will not be taking a proper step if it recommends this resolution to the Government. What I have to do now is to refer this House to the leading case on the subject reported in V. T. L. R., page 93. The learned Judges, who decided that case, clearly say, that according to a custom which exists in this land they are bound to declare that members of certain communities are not entitled to use these *Gramaveethies* for all purposes and they further say that they do not lay down the law as it *ought to be*, but as *it is*. Hence it is for the Government to make a move in this matter. That is what the learned Judges say.

I thought the only course open for the public to inform the Government of the public feeling is by moving a resolution in this Council and passing it by a very large majority. Then the Government could not say that the public want this custom to be retained and that they are bound to respect that custom. I do not think that there is any difficulty for Government to make a declaration that all public roads, tanks and *satroms* are open to all classes of people. By such a declaration I do not think that the Government will be disrespecting the decisions of the Highest Court in the land. In V. T. L. R. at page 94, it is stated thus:

"We have therefore, to see whether the street falls under the category of King's high way and is open to all men and for all purposes, or of common way which may be used by all men, but not for all purposes. The policy of the Courts in British India has been to treat ways that fall under either denomination on the same footing and to hold that Her Majesty's subjects have the right to pass along such ways in any manner they please, provided they do no injury to any other person."

The ground on which the learned Judges came to a different finding as regards Travancore is that Travancore has not sufficiently advanced in enlightenment and education in order to get rid of these sentiments which are injurious to the society at large.

On page 103 it is stated as follows:

"The prohibition, no doubt, had its origin in caste prejudice which is more deep in Malabar, and particularly in Travancore and Cochin, than in other parts of India; but however fastidious and fanciful these prejudices may appear they have always been respected by custom and this respect for the feelings of the bulk of the community will have to be continued until education and association with men of more enlightened and liberal views work a change in the feelings of the mass."

Sir, it is only by passing a resolution of this kind in this Council that I could impress upon the Government that the mass of the country feel that this custom is obnoxious and that they do not want its

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[Mr. A. S. Damodaran Asan.]

retention. And the Law Member wants us to recommend to the legislature and I do not know in what form I should do so other than by this resolution.

Sir, I have only to draw the attention of this Council to the answers given by His Excellency the Viceroy to the deputation that waited on him on the Sarada Bill to show how far the Government are bound to respect the opinions of the people for effecting the necessary changes in the customs prevailing in the country.

The Law Member was stating that if I had brought any resolution asking the Government to throw open certain public roads or tanks or *satroms* he could have considered them. Sir, resolutions are on matters of general public importance. I do not like to bring matters which affect particular highways or particular tanks. For such purposes I will try to move the Government by other methods. The difference between the Law Member and myself is very fundamental. I want a general recognition of the fundamental civic rights of the people. The Law Member says if I impress upon the Government particular grievances, they will receive due consideration. As my friend Mr. Kesavan Namputiripad said, if this custom is to be allowed because the Government want to respect the sentiments of a section of the people why do not they remove this custom and respect the sentiments of a much larger population? Mr. Kayalam Paramesvaran Pillai has brought in many analogies and all those could have very well fitted as illustrations to the saying "comparisons are odious". Such comparisons are futile in an enlightened House like this. All my non-official friends have tried to show how these comparisons are not applicable to the matter which is now before the House. If these *Gramaveethies* and other places are not open to persons of all castes and communities, I wish to know how the officers of the Land Revenue Department will be able to discharge their duties efficiently. Those customs existed when the Land Revenue Department was closed to the members of certain communities in the State. Now Government have recognised that all persons are eligible for appointment in the Land Revenue Department. If the Government want those officers to discharge their duty properly, is it not necessary that the rights of those persons to pass through roads and *Gramaveethies* must be first of all recognised.

My friend Mr. Piraviperumal Pillai was saying that a similar resolution was moved before this Council and that it was amended by one of the members of this Council who now occupies some high position somewhere else. Sir, that resolution is fundamentally different from this. Sir, I am sorry that my friend was not able to understand the difference. There what is stated is, "tanks and canals constructed or repaired by Government" and it was pointedly asked by some of the official members that whether it was the opinion of the House that even those tanks and canals which were constructed by Government but which were afterwards handed over to private men, was intended to be

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brought under the resolution. What I say is, the Government are now spending certain amount of public money for perpetuating most harmful customs in the land and that revenue collected from particular communities also is being utilised to bring to the memory of that community that it is not properly treated by the State. So, when certain amounts are collected from people without distinction of the community or caste to which they belong, should not that be used for the benefit of those people also. The Law Member was saying that it will be very inconvenient and even very difficult for all the public to use all these roads. When I moved this resolution, of course, I did not expect all the 40 lakhs of people to go, and crowd into the roads which lead to the Bungalow of Mr. Bishop. I only wanted that each and every one of them must have a right to do so without distiction of caste or creed. If more than 5 people assemble in a place and make some disturbance the very same gentleman Mr. Bishop has got an authority to see that they are dispersed.

I am not appealing to all the citizens of this State to exercise their full rights in using all these tanks, etc., at the same moment. (*Mr. Revati Nal Rama Varma Raja: Hear, hear.*) It is never intended like that. Never debar the man belonging to a particular community from using roads and tanks because of his community. It is inhuman. It cannot appeal to persons of enlightened views. A Government of the status of the Travancore Government which is spending a lot of money on Education and instilling into the minds of the people the fundamental responsibilities of a true citizen should not stoop to this. My friend the Law Member was doubting whether we are not encroaching upon the private rights. I never understood what he meant by that. I do not want to encroach on private rights of any individual. All that I want is, that the Government should not spend money for the exclusive use of a certain section of the people. When Public Funds are utilised for anything, all men must have a chance of enjoying the benefit of that expenditure. That is what I mean. I have not included the question of all roads constructed and repaired at the expense of Government if such roads are not now maintained with public funds. The Law Member asked me whether I will be satisfied if public funds are not spent upon roads which are not thrown open for the use of all people. I said that I have no objection. This evil has been perpetuated by the Government for a very long time and if the Government are going to spend money for the same I cannot tolerate it any more. If they want to spend more public money I object to that and this resolution wants the Government not to do that.

Some of my friends were saying that they agree to the spirit of the resolution and not the form. I have been very careful in framing this resolution. I do not know how it could be improved. I may say that resolution means all that it says and I am not at all prepared to omit a syllable out of that. It is after very careful consideration that I framed this resolution and I do not want to effect any alterations. With these few words I press this resolution for the acceptance of the House.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am glad that this resolution has received such a thorough discussion from all quarters of the non-official side of this House. For one thing it has tended to clarify the spirit underlying the resolution. It has been made clear from many quarters that it is not intended by this resolution to trench upon Devaswom roads or Palace Roads. It has also been made clear by Mr. Damodaran Asan that he does not want to encroach upon private rights. What remains is that public institutions and public roads must be opened to every member of the public irrespective of distinctions of caste or creed. Sir, there is none who is more in agreement with that spirit of the resolution than the Government. If that is what Mr. Asan wants, I can give the assurance with all the weight that I can command, that the Government are at one with the spirit of the resolution and if the House will permit me, I may remind them of the efforts which the Government have taken all along in this direction. I do not want to go to very ancient history. But I may refer to the case of the schools. Government have done their best to make the schools open to all communities. Wherever it was found that the schools could not be opened by reason of their proximity to temple for example, they were removed to other places. If Mr. Asan says that the resolution should be accepted, I, Sir, am prepared to accept the spirit of the resolution. But when I come to the resolution as it stands there the difficulty lies—

MR. A. THANU PILLAI (*Trivandrum*): May I know from the learned Law Member what he means by Devaswom roads and Palace roads?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They are roads belonging to or appurtenant to Devaswoms or Palaces. In regard to roads, I may say that an enquiry has to be made in the matter as in the case of tanks and *satroms*. Government are prepared to make an investigation of all the roads that are now maintained at their expense and the question of allowing, or taking such steps as they can to allow, the roads to be used by all individuals will be considered. At this stage, before any investigation has been made, I will be making a very large order if I commit myself to the statement that all roads will necessarily be allowed to be used. I accept the spirit of the resolution and I can give this assurance, namely that an investigation will be made and orders will be passed bearing in mind the spirit of the resolution.

In regard to tanks and *satroms*, if the House will permit me to reiterate what I said I can say that an investigation has been made and Government are about to pass orders in furtherance of the spirit of the resolution namely, that as far as possible, public privileges should not be restricted to any classes by reason of their caste. When I rose to oppose the resolution, last evening, almost the very first sentiment that I gave expression to was that Government were not in favour of perpetuating class privileges and with that spirit I find that the House also is in full agreement. Nothing will be more helpful to the Government in their endeavours than the opinions expressed from many quarters of this

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House. I trust therefore that Mr. Asan will feel convinced that Government are prepared to accept the spirit of the resolution. He will also appreciate, I trust, the difficulties in their way to accept the resolution in the form in which it has been moved. I appeal to Mr. Asan therefore to accept the assurance that the spirit of the resolution is concurred in by Government and that therefore he should not press this resolution to a division. I hope he will withdraw the resolution.

PRESIDENT: Do you press the resolution, Mr. Asan?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Yes, Sir.

PRESIDENT: The resolution before the House is this:

"This Council recommends to the Government that all roads, tanks and *Satrams* maintained with public funds, be thrown open to all classes of people without distinction of caste or creed".

The resolution was put to the vote and carried.

MR. V. J. OOMMEN (*Commerce and Industry, North*): Sir, I demand a poll.

A poll was taken with the following results:—

AYES—25.

1	Messrs.	K. N. Kesavan Namputiripad	14	Messrs.	Matthew Murikkan
2	,,	A. S. Damodaran Asan	15	,,	Muruvelil Pachu Pillai
3	,,	D. C. Joseph	16	,,	K. Padmanabha Panikkar
4	,,	D. Francis	17	,,	K. Madhavan Pillai
5	,,	A. G. Menon	18	,,	H. B. Mahomed Rowther
6	,,	Ittoop Itteechan	19	,,	L. R. Raja Raja Varma Koil Tampuran
7	,,	R. Kesava Pillai	20	,,	Tariatu Kunjitomman
8	,,	T. C. Kesava Pillai	21	,,	A. C. Kuriakose
9	,,	Tamarappallil Kochutomman	22	,,	K. Madhavan
10	,,	N. R. Krishnan	23	,,	R. Raman Pillai
11	,,	N. K. Krishna Pillai	24	,,	Revati Nal Rama Varma Raja, and
12	,,	V. J. Oommen	25	,,	A. Thanu Pillai.
13	,,	K. P. Nilakanta Pillai			

NOES—14.

1	Messrs.	L. A. Lampard	8	Messrs.	R. Dhanukoti Pillai
2	,,	Kayalam Parameswaran Pillai	9	,,	I. C. Chacko
3	,,	P. N. Krishna Pillai	10	,,	R. Vaidyalingom Pillai
4	,,	S. Venkataramana Aiyar	11	,,	P. Gomatinayakom Pillai
5	,,	K. George	12	,,	L. A. Bishop
6	,,	T. P. Ramasubba Aiyar	13	,,	A. Vipan, and
7	,,	S. C. H. Robinson	14	,,	Rao Sahib Dr. N. Kunjan Pillai

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NEUTRALS—4.

1 Messrs. P. S. Mahomed	3 Messrs. S. Piraviperumal Pillai
2 „ V. Chellam Pillai	4 „ G. P. Nilakanta Pillai

The resolution was declared carried, 25 voting for, 14 against and 4 remaining neutral.

PRESIDENT: The House will now pass on to resolution No. 5 which stands in the name of Mr. Thanu Pillai.

HOMES FOR DISABLED DESTITUTES.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I beg to move the following resolution.

"This Council recommends to the Government that homes for disabled destitutes be opened."

Sir, It is a non-controversial matter that I wish to place before this House for its consideration. We know what obtains in this country in regard to the condition of those who are unable to maintain themselves owing to disablity either from illness or from extreme old age and who are at the same time left without support from other persons. Sir, my object is to bring to the notice of the House the necessity for providing homes for these people. It is a matter of very common experience especially in towns like Trivandrum that a very large number of beggars are now let loose upon the population. There is absolutely nothing to regulate begging and the consequence is, that it amounts to a source of real nuisance to the people. Of course, we have to approach this question from more points of view than one. We have to consider firstly the condition of these unfortunate people themselves. That is apart from other considerations. There are a large number of people blind, deaf and otherwise disabled, who are real destitutes. There are also others who are stricken with disease and are therefore unable to earn their livelihood. There are very old and infirm people who have no means of support. There are at the same time a large number of orphan infants who are left without support. The question that is to be considered in connection with this resolution is no doubt a large one. But that question has to be faced. How to face it? That is what we have to consider. In this I propose to include only a fraction of this large problem. So far as I am able to see, there is only the Leprosy Regulation in Travancore, that in a way appears to have some bearing on this question, though it relates only to persons who are attacked by leprosy. A very large number of beggars in several places in Travancore suffer from leprosy. We find that people suffering from leprosy, siphilis and other diseases are let loose on the people so to say. One should be really ashamed to find that such a large number of disease stricken people carrying very easily contagious diseases with them are allowed to move from place to place througout the town. It is a matter of common experience that when one goes to the bus stand which is very close to this Hall to

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